WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: April 10, 2018

DATE: March 9, 2018

TO: Board of County Commissioners

FROM: Eric Crump, Division Director, Operations
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THROUGH: Dave Solaro, Arch., P.E., Assistant County Manager
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SUBJECT: Update and possible direction to staff on designating Washoe County parks as smoke free parks through changes to Chapter 95 of Washoe County Code. (All Commission Districts.)

SUMMARY

This item is an update and possible direction on designating Washoe County parks as smoke free. In January of 2017, a joint meeting between Washoe County Open Space and Regional Park Commission, City of Reno Recreation and Parks Commission and City of Sparks Park Commission was held. During this meeting, a presentation on Smoke Free Parks was given by the Director of Health Policy Research, University Nevada Reno and Washoe County District Health. At this joint meeting, each Commission provided feedback to move forward with exploring the possibility of creating smoke-free parks. A subcommittee with a member from each jurisdiction's Park Commission was formed and has been working on this topic for the past year.

Each of the Park Commissions from Washoe County, City of Reno and City of Sparks have voted to support smoke and vape free parks throughout each jurisdiction through changes to their respective agency's ordinances.

The purpose of this item is to seek feedback and direction on moving forward with changes to Chapter 95 of Washoe County Code that would prohibit smoking and vaping within Washoe County Parks. These draft changes would be included in the draft changes currently being developed for introduction and possible adoption.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

PREVIOUS ACTION

On September 5, 2017, the Washoe County Open Space and Regional Park Commission voted in support of working with the Joint Agency Working Group to draft a smoke and vape free ordinance for all Washoe County Parks.

AGENDA ITEM # _____

On July 13, 3017, the Washoe County Open Space and Regional Park Commission appointed Park Commissioner Nenzel to the Joint Agency Working Group for the development of a smoke free park policy.

On March 7, 2017, the Washoe County Open Space and Regional Park Commission voted in support of having staff work with the City of Reno and the City of Sparks parks staff on a smoke free park initiative.

On July 22, 2014, The Board of County Commissioners provided for an initiation of amendments to County Code Chapter 95, Parks and Recreation.

BACKGROUND

At the January 18, 2017, concurrent meeting of City of Reno Recreation and Parks Commission, City of Sparks Parks and Recreation Commission and Washoe County Open Space and Regional Parks Commission, a presentation on Smoke Free Parks was given by the Director of Health Policy Research, University Nevada, Reno and Washoe County District Health. During the discussion following the presentation, several members from the respective Park Commissions communicated interest in pursuing a smoke free park initiative that was consistent across all jurisdictions.

A Joint Agency Working Group consisting of one Park Commissioner from the City of Sparks, City of Reno and Washoe County was formed to work on this initiative in an effort to be consistent throughout the community. The Joint Agency developed three specific questions to pose to each agency's park commission:

1.) Develop a policy or an ordinance;
2.) Prohibit smoking in all areas, or create designated areas; and
3.) Prohibit only smoking/vaping or all tobacco/vape products.

Each of the agency park commissions have discussed these three questions and provided feedback or direction, with Washoe County's Open Space and Park Commission voting in support of a smoke and vape free ordinance for all Washoe County Parks.

During the past year, two public surveys regarding smoke free parks were conducted. The City of Sparks conducted a poll allowing for citizen comments on smoke free parks. Approximately 3,500 emails were sent with a link to Survey Monkey, an anonymous survey tool. The email list included all City of Sparks' employees, Park and Recreation customer database, a subscriber list and those involved in Ignite Sparks during the citywide Comprehensive Plan update in 2016. There were 289 responses received, an 8.25% response rate, and 89 comments were received. Approximately 80% of the respondents indicated support of smoke free parks. A complete report of the results is included with this staff report.

On November 20, 2017, Truckee Meadows Parks Foundation also conducted a survey about smoking, vaping and use of tobacco products in parks. The survey was conducted through the following platforms:

- TMPF Facebook paid advertisements targeting individuals 18 or older living within 25 miles of Carson City, Sparks and Reno.
- TMPF electronic newsletter

- TMPF's website, Facebook page, Twitter page and Instagram page

The survey closed on November 29 with a total of 984 responses. The survey indicated 76% of respondents are in support of some regulation governing smoking in parks. The full results of the survey along with a complete list of comments are included with this staff report.

The subcommittee consisting of the City of Reno, City of Sparks, and Washoe County Recreation Commissions are committed to the quality of life for all residents. They have determined that the prohibition of smoking and vaping in the region's parks and recreational facilities serves to protect the health, safety, and welfare of our citizens.

The primary enforcement of a smoke-free/vape-free ordinance will be through new signage in parks and social pressure to not smoke in the parks. Staff does not anticipate law enforcement actively patrolling parks looking for violations. The changes, if supported, will rolled out through public information campaign and consistent signage/branding. The signage will have a positive message (e.g. "Enjoy your smoke free parks") instead of a prohibitive sign (e.g. "Smoking and Vaping Prohibited").

Potential language for the changes to Chapter 95 of County Code could include:

- Smoking and vaping are prohibited in all County parks, park facilities, trails and open spaces.
- A person in violation of this provision may receive a notice and warning and may be subject to ejection from the park, facility, or event.
- Smoking areas may be approved in designated areas for special events, parks and facility rentals.

There are many cities/counties throughout the nation that have already enacted an ordinance that prohibits smoking within a city/county park. Attached to the staff report is a list of all the cities/counties that have laws that prohibit smoking. As noted in the list, Washoe County would be one of the first counties in Nevada to prohibit smoking and vaping within County parks.

FISCAL IMPACT

The initial purchase and installation of new signage will be provided by the Washoe County Health District. The ongoing maintenance of the signage will be incorporated in the Parks Operations Fund 140-4 where there is sufficient budget authority in FY 2018.

RECOMMENDATION

It is recommended the Board of County Commissioners direct staff to initiate changes to Chapter 95 of Washoe County Code to designate Washoe County parks as smoke free parks.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to direct staff to initiate changes to Chapter 95 of Washoe County Code to designate Washoe County parks as smoke free parks."