



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Names: 2<sup>nd</sup> District Supervisor  
Department Nos.: 011  
For Agenda Of: December 1, 2009  
Placement: Set Hearing  
Estimated Tme: 20 minutes on 12/8/09  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Board Member: Supervisor Janet Wolf, Second District  
Contact Info: Dawn M. Dunn, MPH, Tobacco Prevention Program (681-5407)  
**SUBJECT:** **Consideration of an Ordinance for Tobacco-free Parks/Beaches**

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**County Counsel Concurrence**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

The Board of Supervisors:

Set a public hearing for December 8, 2009 to consider recommendations regarding creation of an Ordinance for Tobacco-Free Parks and Beaches, as follows

- A) Approve work to explore development of an ordinance for tobacco-free parks and beaches.
- B) Direct the staff of the Public Health Department to work with the Parks Department to bring this matter to the Parks Commission for their input on December 10<sup>th</sup>.
- C) Return to the Board of Supervisors with recommendations on an ordinance and sample language, if indicated.

**Summary Text:**

The Board is being asked to provide direction to Public Health staff to work with the Parks Department and Parks Commission to discuss and consider drafting an ordinance to restrict tobacco use in County parks and beaches. Currently, tobacco use is allowed at all beaches and parks in the County with the exception of those in the City of Carpinteria. To date, more than 151 municipalities in California have enacted such ordinances. Over 90% of local beaches in southern California are currently tobacco-free. There is strong public support for restricting tobacco use in such outdoor settings. Policies that restrict tobacco use in parks and beaches will protect the public's health by reducing exposure to secondhand

smoke, decreasing cigarette butt litter, reducing risk of fires and promoting the overall health and safety of county residents.

**Background:**

The negative health-related effects of exposure to secondhand smoke have been documented since the mid-90s and the evidence of these outcomes continues to mount. In 2006, the office of the U.S. Surgeon General released its second report on the effects of exposure to involuntary tobacco smoke and among other findings, concluded “there is no safe level of exposure to secondhand smoke”. In January of 2006, the California Air Resources Board (CARB) classified secondhand smoke as a toxic air contaminant. CARB regulates outdoor air and makes recommendations for allowable exposures in the ambient air. More recently, a Stanford-based study measured exposure to secondhand smoke in outdoor settings, like cafés, patios, and parks; and concluded that based on wind, proximity, and length of exposure, individuals could easily be exposed to levels of toxic particulate matter that exceed the U.S. Environmental Protection Agency’s allowable daily limit. Cigarette butts are the number one source of litter found in all coastal clean-ups and they contaminate waterways, threaten marine and other wildlife, and pollute natural resources. According to the Ocean Conservancy, cigarette butts are not biodegradable. Cigarettes are also the number one cause of forest and other fires.

In response to these findings, numerous state and local jurisdictions, including Santa Barbara County, have adopted and implemented regulations to protect the public from secondhand smoke. In 2004, the City of Carpinteria implemented a smoke-free beaches and parks ordinance. The Santa Maria City Council considered enacting a tobacco-free park ordinance. The Santa Maria Parks and Recreation Commission was unanimous in their support for the ordinance; however, the Santa Maria City Council voted 3-2 to not approve the ordinance. CEASE (Coalition Engaged in a Smoke-Free Effort) is actively promoting the adoption of such ordinances to protect local residents and add the Santa Barbara County coastline to the growing number of southern California communities that provide tobacco-free beaches for their residents’ enjoyment.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

There will be no increase in General Fund resources with this action. The PHD anticipates that there may be some costs associated with new signage and public education materials to inform residents of the provisions of any potential ordinance that could be adopted for County parks and beaches. As a contingency for adoption of this action or for any future potential ordinance, the PHD has set aside approximately \$8,500 in current fiscal year funding from the Master Tobacco Settlement funded Tobacco Prevention Settlement Program.

This amount can be found in the County’s FY 2009-2010 Operating Plan on page D-204 in the Community Health cost center.

**Staffing Impacts:**

**Legal Positions:**  
0

**FTEs:**  
0

**Special Instructions:**

**Authored by:** Dawn M. Dunn, Tobacco Prevention Settlement Program