



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#22-0922

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: September 22, 2022

TITLE: First Reading – Creating an Ordinance in the City of Fort Lauderdale Code of Ordinances, Section 19-7, Smoking or Vaping in Public Parks or on Public Beach is Prohibited - (**Commission Districts 1,2 and 4**)

Recommendation

Staff recommends the City Commission adopt an ordinance in the City of Fort Lauderdale Code of Ordinances, Section 19-7, Smoking or Vaping in Public Parks or on Public Beach is Prohibited.

Background

Effective July 1, 2022, the “Florida Clean Air Act” amended Section 386.209 of the Florida Statutes to authorize counties and municipalities to regulate and prohibit smoking or vaping within their parks and beaches, except for smoking of unfiltered cigars.

In addition to the public health hazards associated with cancer and second hand tobacco smoke, cigarette butts contribute to the pollution of City parks and beaches and contain toxic chemicals that adversely impact the environment.

The proposed amendments update to the following:

Sec. 19-7. Smoking or vaping in public parks or on public beach is prohibited.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. “Smoke” or “Smoking” defined. The term smoke or smoking shall mean the act of inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, pipe tobacco, and any other lighted tobacco product.
2. “Vape” or “vaping” means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic,

a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance. The term does not include the mere possession of a vapor-generating electronic device.

(b) It shall be unlawful for any person to smoke, vape, or engage in the act of smoking or vaping in any public park or on any public beach area within the boundaries of the City Fort Lauderdale, with the exception of the smoking of unfiltered cigars. A violation of this section shall be punishable in accordance with section 1-6 of the City Code.

The proposed regulations are attached as Exhibit 1.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a 2022 Top Commission Priority, advancing the Parks and Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Public Places Focus Area
- Goal 3: Build a healthy and engaging community
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This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We are Here.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan*, specifically advancing:

- The Public Places Focus Area
- Parks, Recreation & Open Spaces Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of the City

Attachment

Exhibit 1 – Ordinance

Prepared by: Carolyn Bean, Parks and Recreation

Department Director: Phil Thornburg, Parks and Recreation