



**City of Sunnyvale
Department of Public Works
Parks Division
INFORMATIONAL BULLETIN**



NO SMOKING IN SUNNYVALE PARKS

**Sunnyvale Adopts Smoking Ban
Effective May 3, 2012**

California was the first state to implement a smoke-free restaurant law in 1995 and a smoke-free bar law in 1998. In 2004, California banned smoking near entrances, exits, covered parking lots and operable windows (GC 7596-7598, Assembly Bill 846). Meanwhile in 2002, California banned smoking within 25 feet of tot-lots and playgrounds. Since that time, approximately 300 municipalities in California have adopted more restrictive smoking bans in recreational areas beyond state law.

The City of Sunnyvale has joined the many cities and counties that have enacted bans on smoking in public places. On April 3, 2012, the City Council approved a ban on smoking in public parks, with the exception of golf courses, and allowed the City Manager to designate City property as non-smoking.

Q: Why did the Sunnyvale City Council adopt a more restrictive smoking ban?

A: A ban on smoking in public areas would reduce the public's exposure to the negative effects of secondhand smoke, particularly within more sensitive populations including children and older adults. It may also have other positive effects including:

- Increased park usage.
- Reduction in tobacco-related litter.
- Reduced fire risk from discarded cigarette butts.
- Preventing discarded cigarette butts from being picked up from children, pets and wildlife.

Q: What recent changes were made to the ordinance?

A: Per Municipal Code (SMC) Chapter 9.28 – Regulation of Smoking: smoking is prohibited in the following locations in the city:

- Public parks, except that smoking shall be permitted on golf courses where not otherwise prohibited by law. Public parks is defined by SMC 9.62.010(3) as “park, reservation, playground, swimming pool, recreation center or any other area in the city, owned or used by the city and devoted to active or passive recreation.”
- Any location on city property, other than public streets and sidewalks, where smoking is not otherwise prohibited by law may be designated by the city manager as a “no smoking” area. Such areas shall be posted with appropriate signage.

Q: When did the new smoking ban go into effect?

A: May 3, 2012. Since that time, staff has posted no smoking signage in city parks, removed ash trays, posted information regarding the smoking ban on the city's website and on Twitter.

Q: Where can I smoke at parks and public facilities that are now non-smoking?

A: You can not smoke anywhere within those areas including pathways, parking lots etc. However, you may smoke in the public right-of-way including sidewalks that are immediately adjacent to those areas as there is no requirement to be a certain number of feet away from the park or facility.

Q: What public outreach is being conducted to educate residents and businesses of the newly adopted policies?

A: Staff posted information about the newly adopted smoking ban on the City's website, on Twitter, on Facebook, in an article included in 2012 summer *Quarterly Report* article, and through a press release.

Q: How will the smoking ban be enforced?

A: Most jurisdictions that have passed more restrictive smoking bans do not intend for staff to proactively patrol areas in search of people smoking in prohibited areas. Sunnyvale, consistent with most jurisdictions, would rely on self-enforcement. Smokers who are in violation could be cited by a Public Safety staff.

Q: What should I do if I see someone smoking in a park or recreation area?

A: If you notice someone violating any of the park rules, you may politely direct them to the attention of the rules, if you feel comfortable doing so. Or, you may ask any member of the park or recreation staff to remind the violator of the rules. If a person refuses to comply, you may report the incident to Public Safety by calling Dispatch at (408) 730-7181. Public Safety will respond based upon priority and availability.

Q: Where can I obtain additional information about the newly adopted smoking ban?

A: Contact Christy Gunvalsen, Neighborhood Preservation Manager, at (408) 730-7255 or by email at cgunvalsen@ci.sunnyvale.ca.us.

For additional information on Sunnyvale parks, call (408) 730-7506.