
Tobacco-Free Park and Recreation Model Policy

Section 1: Rationale

The Foster County Commissioners believes that the use of tobacco products in the proximity of children and adults engaging in or watching recreational activities at county-owned, operated or leased parks and other recreational facilities, including all buildings and grounds, is detrimental to their health and can be offensive to those using such facilities.

Section 2: Definition

“Tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine and other similar substances, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff or snus. Tobacco product also includes any electronic smoking device. Tobacco product does not include any product that has been approved by the United States Food and Drug Administration (FDA) as a tobacco cessation product and is marketed and sold for such approved purpose.

“Electronic smoking device” means any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. “Electronic smoking device” does not include any product approved by the FDA for legal sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose.

“Tobacco use” means smoking and the heating, inhaling, chewing, absorbing, dissolving or ingesting any tobacco product. Tobacco use also includes carrying or using an activated electronic smoking device.

“Enclosed area” means all space between a floor and ceiling that has thirty-three percent or more of the surface area of its perimeter bounded by opened or closed walls, windows or doorways. A wall includes any physical barrier regardless of whether it is opened or closed, temporary or permanent or contains openings of any kind, and includes retractable dividers and garage doors.

Section 3: Policy

The use of tobacco products is prohibited at all times in county-owned or leased parks and recreational facilities, including both outdoor and enclosed areas of parks and recreational facilities. This prohibition includes all facilities at which parks and recreation-sponsored activities occur. No person shall use any tobacco products at or on any outdoor or enclosed areas of county-owned or operated recreational facilities. Including, but not limited to, parks, playgrounds, athletic fields, restrooms, spectator areas, enclosed buildings, concession areas, covered or uncovered picnic areas or shelters, green spaces, with the exception of parking lots for the Courthouse and Juanita Lake Parks.

Section 4: Enforcement and Communication

1. Appropriate signs shall be posted at strategic, highly visible, locations in the above specified areas to inform the community and users of parks and recreational facilities about this policy.
2. Signs provide communities with the ability to rely on community and self-enforcement which eliminates the need for law enforcement.

Signature of Authorized Official



Date

08-04-2020

This policy statement is effective immediately upon the date of adoption.

Section 5: Effective Date