



## ITEM SUMMARY

**MEETING DATE:** September 14, 2022

**FROM:** Andrea McCue, City Manager, Administration

**SUBJECT:** Ordinance 2022-30 Banning Smoking in Parks

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### BACKGROUND

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Section 386.209, Florida Statutes preempted the regulation of smoking to the State and prohibited cities and counties from regulating smoking in local parks.

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### ANALYSIS

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Effective July 1, 2022, the Florida legislature amended section 386.209, to allow cities to restrict smoking in local parks which are within the jurisdiction of the cities and provided for the cities to restrict smoking in county-owned parks within the City's boundaries if the county does not have a conflicting ordinance. The only exception to the amendment is that a city cannot restrict the smoking of unfiltered cigars.

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### FINANCIAL INFORMATION

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There will be a minimal cost for updating of City signs.

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### LEGAL

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The City Attorney prepared the Ordinance in compliance with state statutes.

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### STAFF RECOMMENDATION

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Staff is recommending approval of Ordinance 2022-30 on first reading.