



ITEM SUMMARY

MEETING DATE: September 28, 2022
FROM: Andrea McCue, City Manager, Administration
SUBJECT: Ordinance 2022-30 Banning Smoking in Parks

BACKGROUND

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

ANALYSIS

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.

The City Council approved Ordinance 2022-30 on first reading on September 14, 2022.

FINANCIAL INFORMATION

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

LEGAL

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

STAFF RECOMMENDATION

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