



2022

NORMAN TOBACCO-FREE CITY OWNED PROPERTY ORDINANCE

PREPARED BY

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CLEVELAND COUNTY TSET HEALTHY LIVING
PROGRAM

ABOUT US



TSET HEALTHY LIVING PROGRAM

The TSET Healthy Living Program serving Cleveland County partners with local community partners to help prevent cancer and cardiovascular disease by reducing tobacco use and obesity.

This report was created to show the environment of Norman without a current tobacco free city owned property ordinance in place.

NORMAN TOBACCO-FREE CITY OWNED PROPERTY

Tobacco use is the number one preventable cause of death.

- Tobacco use kills more than 7,500 Oklahomans every year.
- Tobacco smoke contains at least 250 harmful chemicals and at least 69 known carcinogens.
- Tobacco causes cancer, heart disease, and respiratory illnesses.
- In Oklahoma, more than 21 percent of adults smoke.

EVERY YEAR WE SPEND

\$3.7 Billion

or \$1,272 per adult

**on smoking-related
health care costs and
lost productivity**





WHY TOBACCO-FREE?

1. Can help end a vicious cycle in which employees and visitors are exposed to higher rates of secondhand smoke and seeing others use tobacco products, people are more likely to use tobacco products themselves
 2. Will demonstrate that your community cares about the health of its citizens and employees, and it will give everyone the opportunity to demonstrate by example that tobacco use is not the norm and is unhealthy
 3. Secondhand smoke is hazardous to your health
 - a. Secondhand smoke is responsible for nearly 50,000 deaths among adult nonsmokers each year in the United States.
 4. There is wide support
 - a. More than 81 percent of Oklahomans want cities and towns to adopt smokefree policies for all workplaces.
 - b. At least 52 Oklahoma communities have passed tobacco-free ordinances
 5. Tobacco-free laws are effective
 - a. More than 55 peer-reviewed research studies have shown that tobacco-free policies reduce tobacco use, exposure to secondhand smoke, and tobacco-related illnesses and death.
 6. A comprehensive tobacco-free policy supports tobacco users who want to quit
 - a. A little more than 15 percent of people who smoke have used chewable or dissolvable tobacco products in places where they are prohibited from smoking
 7. Litter from tobacco products is harmful to children, pets, and the environment
 - a. In 2012, American poison control centers received more than 8,600 reports of poisoning from the ingestion of cigarettes, cigarette butts, and other tobacco products. Nearly 85 percent of these poisonings were in children ages five and younger
-

WHY PURSUE THIS?

LOCAL GOVERNMENTS MAY WISH TO PASS TOBACCO-FREE LAWS FOR THREE REASONS

- 1.State law expressly allows local governments to pass laws that regulate smoking on property the local government owns or operates. A local government may choose to strengthen the state law by making its properties, such as city hall or a city park, 100 percent smoke free.
- 2.State law regulates only smoking, so a local government can further protect its residents, employees, and visitors by passing a local law that also prohibits the use of vapor products and smokeless tobacco products on local government property.
- 3.A local government may wish to pass a local smokefree air law so that it can enforce the state law at the local level. By adopting a local smokefree air law that contains the limitations in state law, a community gains the power to enforce the state law locally



NORMAN'S HISTORY

- 2015/2016 - Our team met with, Mayor Rosenthal, to discuss this policy. Her concerns were that if we passed policy we would not have a way to enforce it. She asked that we collect data; surveyed Westwood Golf Course and shared those results with her and Jud Foster.
 - That survey overall resulted in most mentioning that they did not care about tobacco use at the park or would like for it to not be allowed. The staff of the golf course shared that they did not want to allow tobacco use due to the mess it caused on the property.
- We continued to meet with Norman Parks and Council-Members over the years to gain support but didn't try to pass policy again until a few years later (2019).
- Met with Mayor Clark later and attended Oversight Committee to see when I could present. Someone from the city presented on our behalf; nothing came of this.

Now, we're here again with survey results, policy suggestions, and benefits to proceeding.

HEALTHY INCENTIVE GRANTS FOR COMMUNITIES

- **An updated tobacco ordinance WOULD make Norman eligible for additional funds.**
 - The City has received a total of \$50,000 from the HIGC funds in 2012 & 2013.
 - Since that time the criteria has been updated and maximum funding increased to a total of \$150,000.
 - **Thus, Norman remains eligible for \$100,000.**

The grant criteria for FY23 will be updated and available shortly after July 1st, 2022.



TSET FY22 Healthy Incentive Grant for Communities

HEALTHY INCENTIVE GRANTS FOR COMMUNITIES

Funding is determined based upon the following:

- a. The city adopting an ordinance that prohibits smoking and the use of tobacco products (including e-cigarettes and vaping devices) on all indoor/outdoor city owned/operated property
- b. The level (or strength) of the Worksite Wellness policy adopted and the municipality's practices in support of the policy
- c. Community Actions achieved by the community toward an environment of wellness; and
- d. The population size of the city/municipality. The higher the population size, the larger the potential grant award.

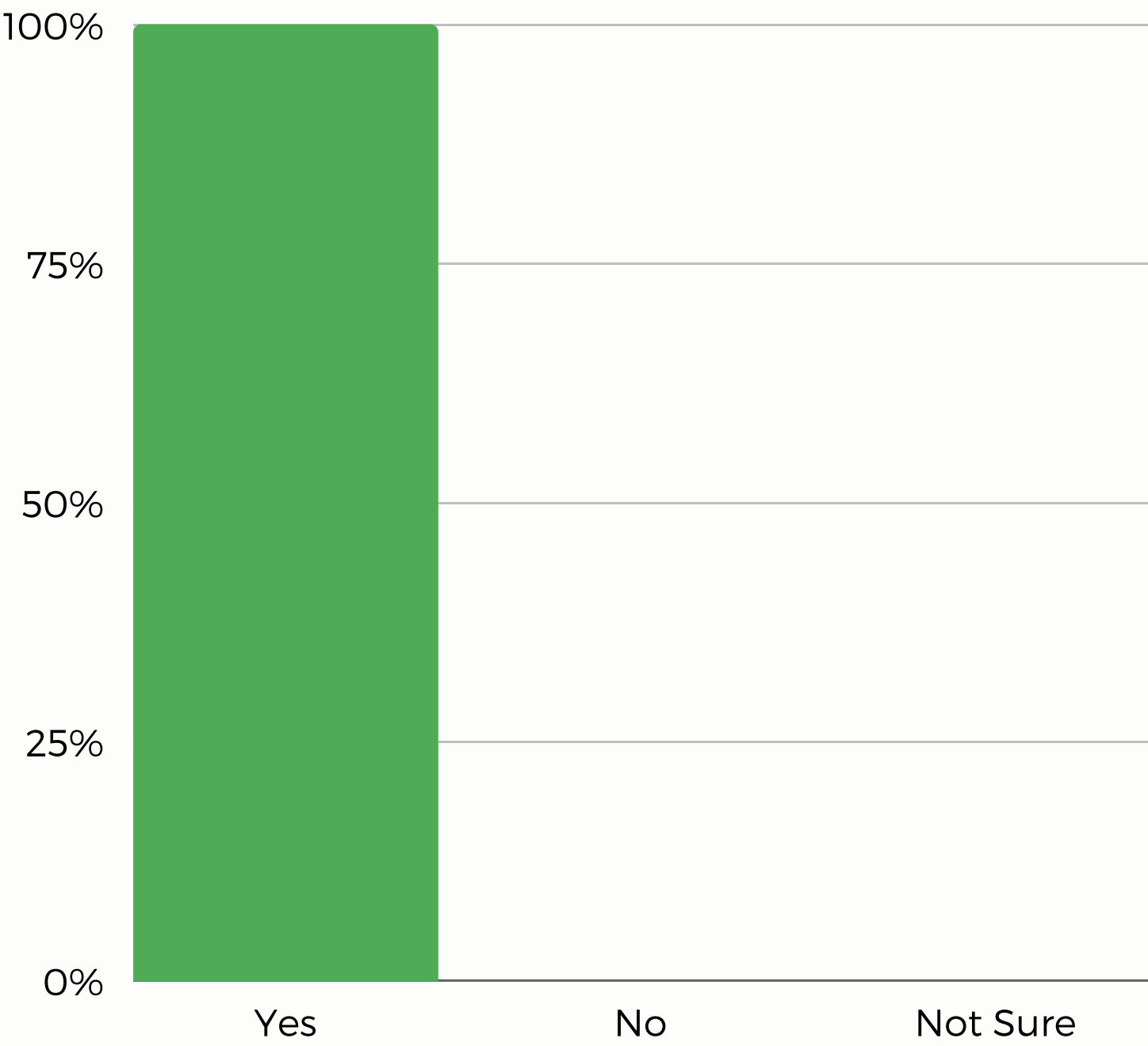
Community Classification/Size ¹	Bronze Class	Silver Class	Gold Class	Maximum Combined
Rural – up to 4,299	\$10,000	\$12,000	\$14,000	\$36,000
Small – 4,300 up to 9,999	\$10,000	\$15,000	\$25,000	\$50,000
Medium – 10,000-29,999	\$24,000	\$36,000	\$60,000	\$120,000
Large – 30,000+	\$30,000	\$45,000	\$75,000	\$150,000
OKC/Tulsa	\$40,000	\$60,000	\$100,000	\$200,000

SURVEY RESULTS

CLEVELAND COUNTY PUBLIC OPINION SURVEY

Secondhand smoke means smoke breathed in from lighted or heated tobacco or plant product being smoked by others. This could be from cigarettes, cigars, pipes, etc. Do you believe that secondhand smoke is harmful to your health?

ANSWER CHOICES	RESPONSES	
Yes	100%	12
No	0.00%	0
Not Sure	0.00%	0
TOTAL	12	

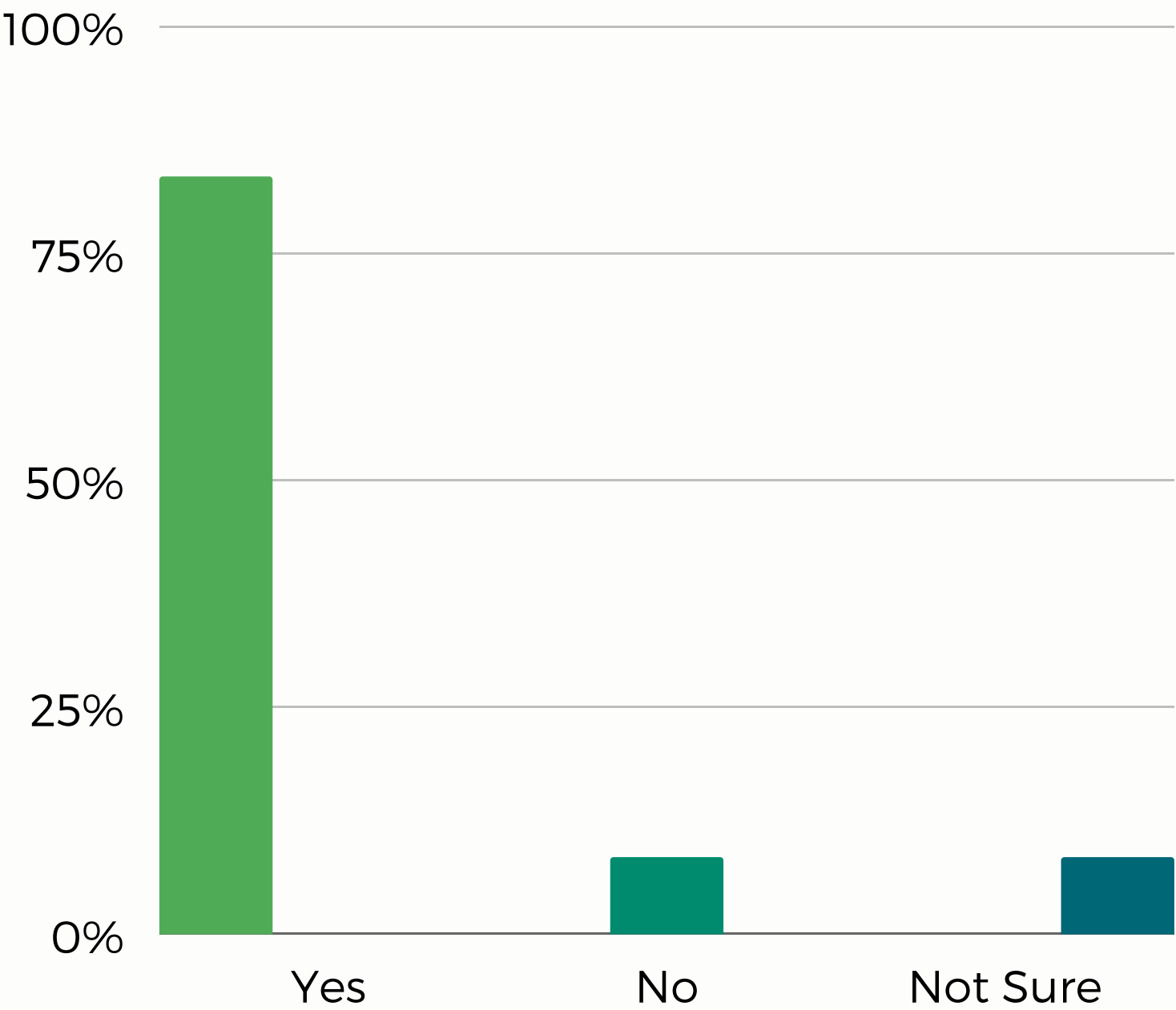


SURVEY RESULTS

CLEVELAND COUNTY PUBLIC OPINION SURVEY

In Oklahoma, cities and towns can pass policies that make public, city-owned property including parks and recreational spaces smoke-free, tobacco-free, and vape-free. These policies do not cover privately owned property like businesses, homes, etc. Do you believe that all city property in your community should be smoke-free, tobacco-free, and vape-free?

ANSWER CHOICES	RESPONSES	
Yes	83.33%	10
No	8.33%	1
Not Sure	8.33%	1
TOTAL	12	

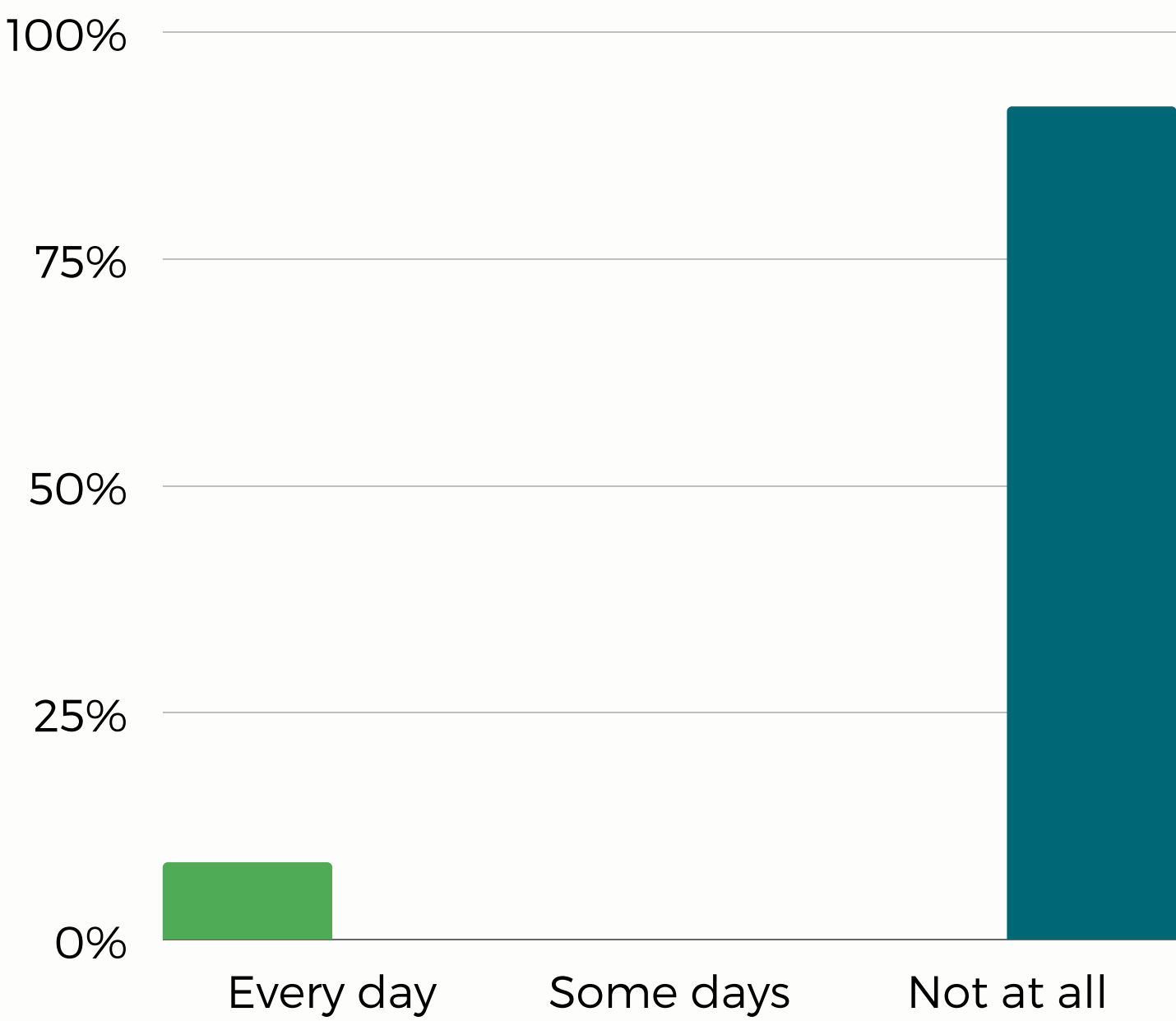


SURVEY RESULTS

CLEVELAND COUNTY PUBLIC OPINION SURVEY

Do you smoke, vape, or use other tobacco products every day, some days, or not at all?

ANSWER CHOICES	RESPONSES	
Every day	8.33%	1
Some days	0.00%	0
Not at all	91.67%	11
TOTAL	12	



SURVEY RESULTS

WESTWOOD GOLF COURSE VISITOR SURVEY

Indicate if you agree or disagree with the following statements?

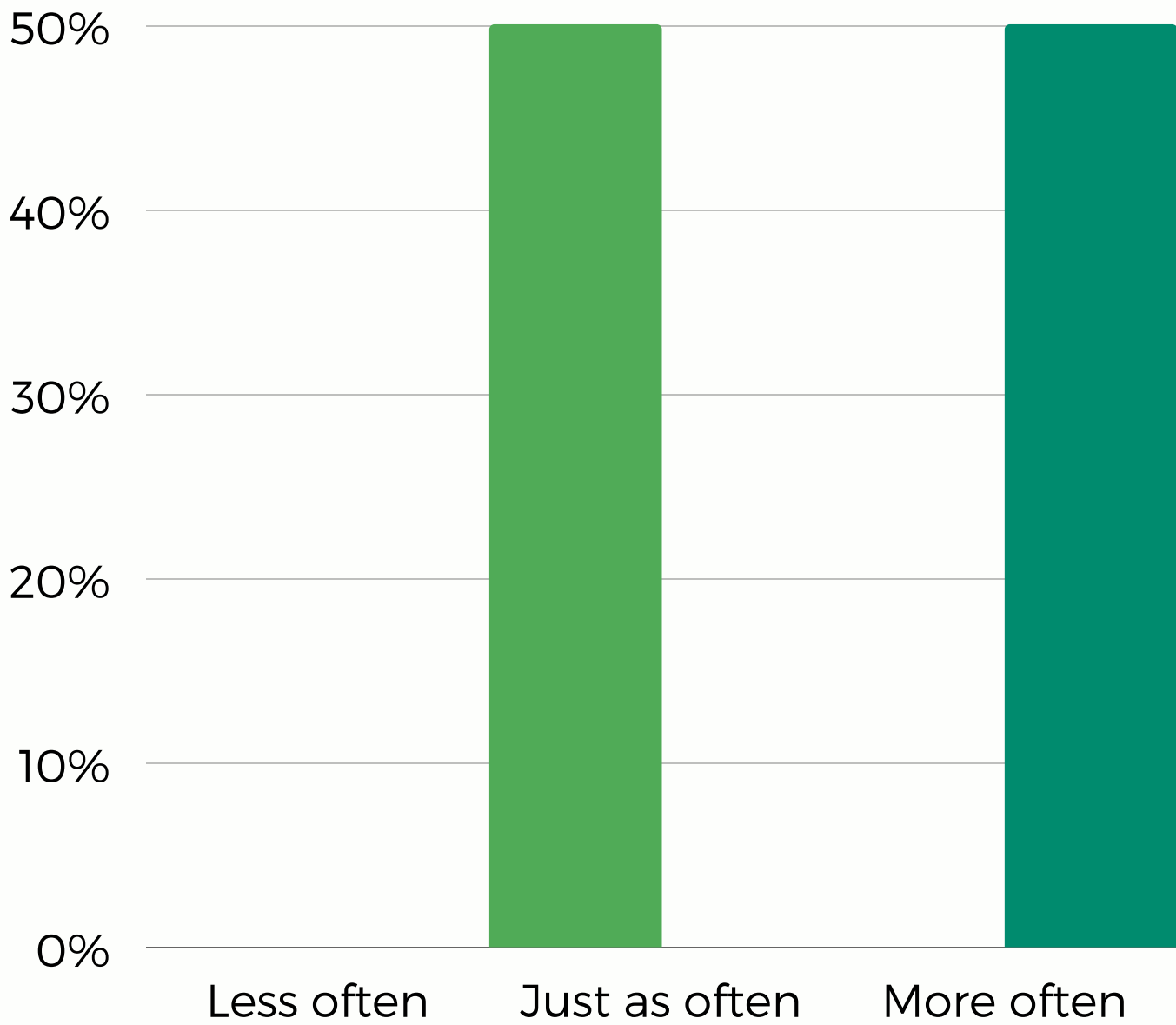
ANSWER CHOICES	AGREE	DISAGREE	NOT SURE	TOTAL
Everybody visiting Westwood Golf Course has the right to clean air.	10	0	0	10
Secondhand smoke bothers me when visiting Westwood Golf Course.	8	2	0	10
Tobacco litter (such as cigarette butts, vape cartridges, lighters, packaging, etc.) is a problem at Westwood Golf Course.	3	0	7	10
Westwood Golf Course should be smoke-free.	8	1	1	10
Westwood Golf Course should be tobacco-free.	7	2	1	10
Westwood Golf Course should be vape-free.	8	1	1	10

SURVEY RESULTS

WESTWOOD GOLF COURSE VISITOR SURVEY

If Westwood Golf Course was smoke, tobacco, and vape-free how often would you visit?

ANSWER CHOICES	RESPONSES	
Less often	0.00%	0
Just as often	50.00%	5
More often	50.00%	5
TOTAL	10	

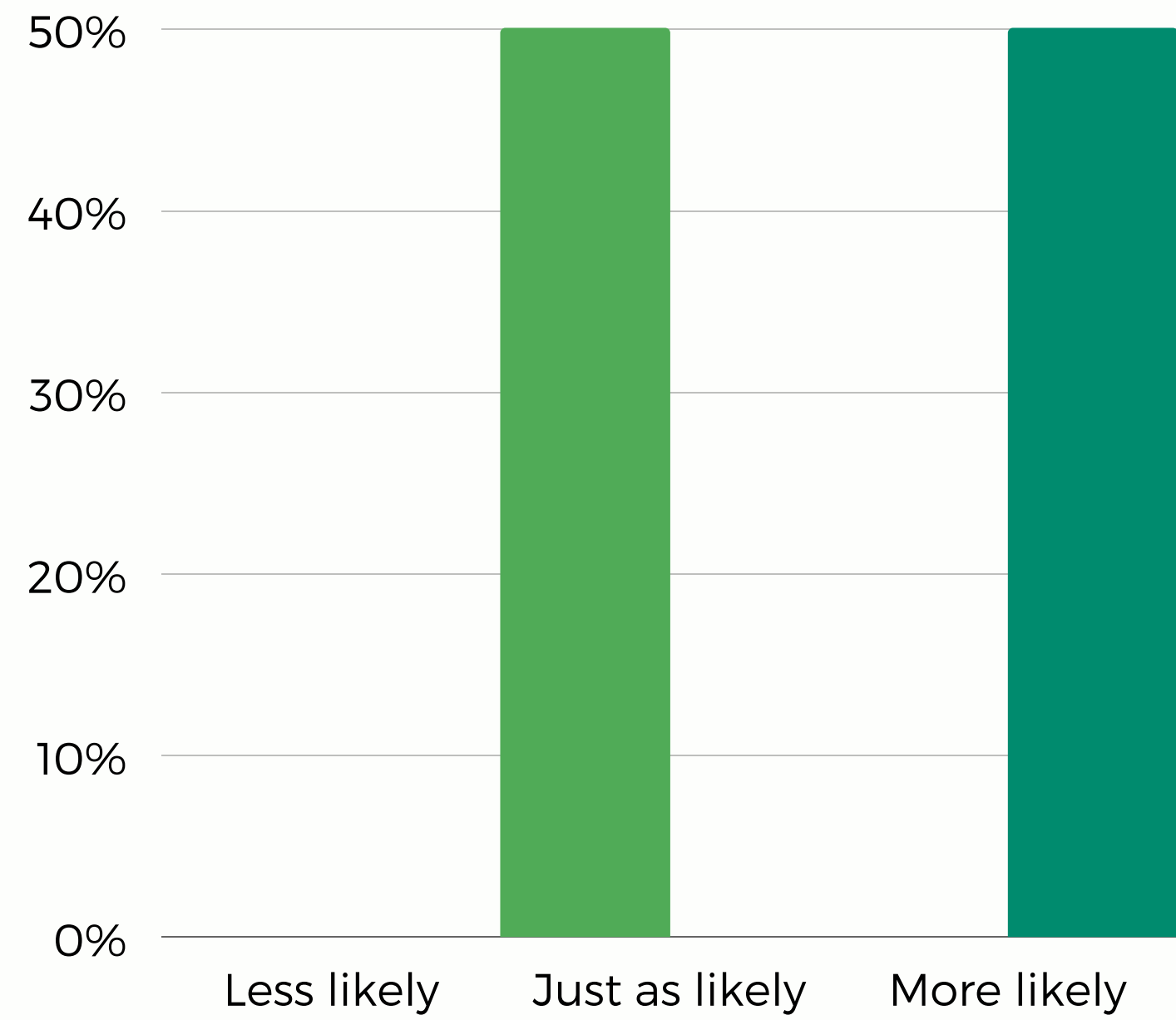


SURVEY RESULTS

WESTWOOD GOLF COURSE VISITOR SURVEY

If Westwood Golf Course was smoke, tobacco, and vape-free how likely would you be to purchase a membership?

ANSWER CHOICES	RESPONSES	
Less likely	0.00%	0
Just as likely	50.00%	5
More likely	50.00%	5
TOTAL	10	

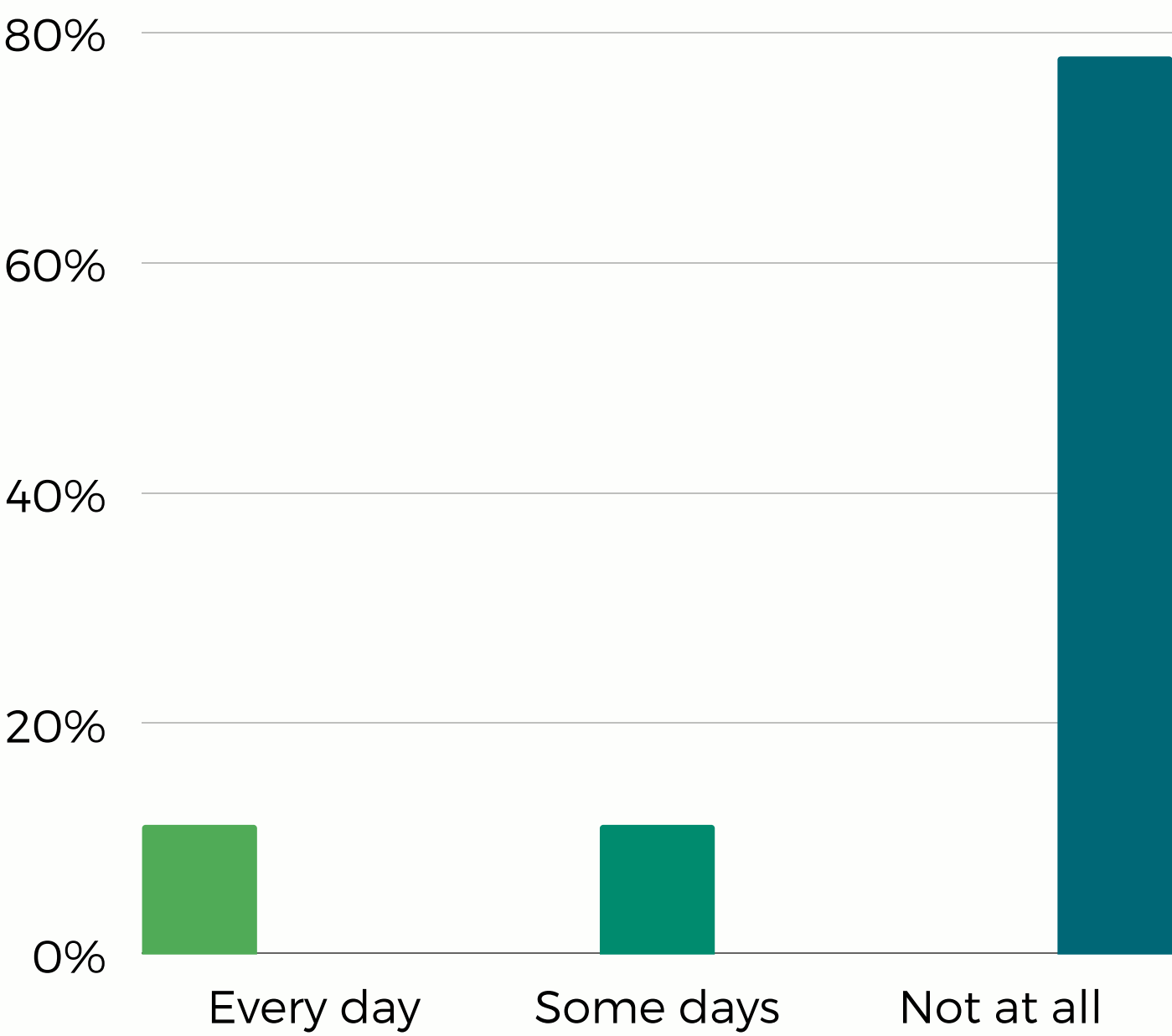


SURVEY RESULTS

WESTWOOD GOLF COURSE VISITOR SURVEY

Do you smoke, vape, or use other tobacco products every day, some days, or not at all?

ANSWER CHOICES	RESPONSES	
Every day	11.11%	1
Some days	11.11%	1
Not at all	77.78%	7
TOTAL	9	



DIRECT QUOTES FROM ANONYMOUS GOLF COURSE USERS



“It’s pretty rare to see someone out there smoking. If anything, maybe there’s 1 or 2 regulars, but that’s about it.”

“We actually had one of our guys quit smoking because he has COPD.”

“I actually really hate the smell of cigarette smoke so, it would be great if they passed no smoking policy.”

“I didn’t even know that the golf course was the one of the only city-owned properties where people could smoke.”

"I did not realize you could vape or use tobacco products here."

"We want clean air. We value it."



WESTWOOD GOLF COURSE IMAGES

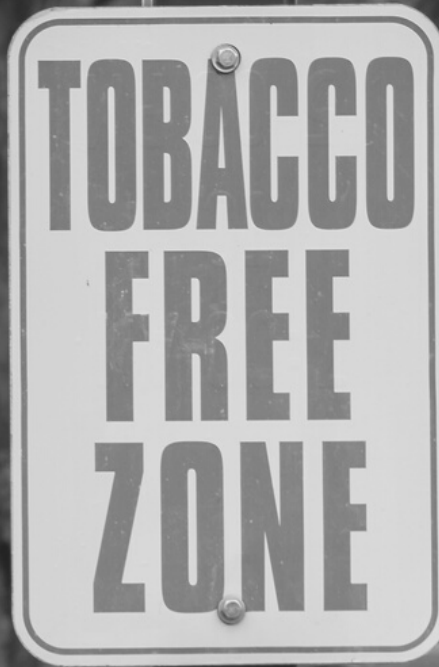


You can not smoke near the clubhouse; there are signs posted already.

ADDITION #1

"Public park" shall exclude parking lots located on the same property as a park or playground, and the Westwood Golf Course."

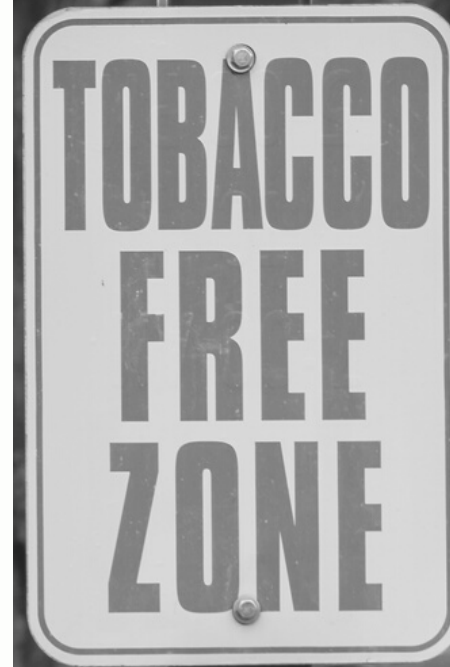
REMOVING THIS EXCLUSION WOULD BE BENEFICAL TO THE CITY AND IT'S RESIDENTS.



ADDITION #2

PROHIBITED CONDUCT

- ☒ Policy prohibits ☒ smoking and the use of ☐ tobacco products and ☐ vapor products on all municipal property, both ☒ indoor and ☐ outdoor, including parks and recreational areas. (Element 1)
 - *No person is allowed to Smoke or use Tobacco Products and/or Vapor Products on any Municipal Property, indoor and outdoor, including parks and recreational areas.*
 - ☒ The prohibition applies at all times. (Element 2)
 - ☒ The prohibition applies to every person on municipal property. (Element 3)
 - ☐ The prohibition applies to all vehicles owned by the municipality. (Element 4)
 - *Municipal Property means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas, and other property, or portions thereof, owned or operated by the City of Norman, including vehicles and equipment owned by the municipality.*
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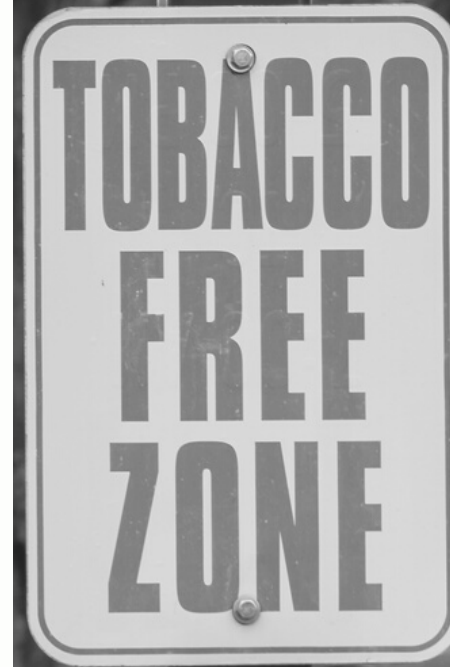
ADDITION #3

REQUIRED SIGNS

☒ Local government is responsible for posting a sign or decal of at least 4" x 2" in size at each entrance to indoor property owned or operated by the local government that clearly states that smoking or tobacco use is prohibited or that a tobacco-free environment is provided. (Element 5)

☐ Local government is responsible for posting weather resistant signage of at least 15" by 15" in size with at least 1" lettering at the entrance to outdoor areas owned or operated by the local government that clearly states that smoking or tobacco use is prohibited or that a tobacco free environment is provided. (Element 6)

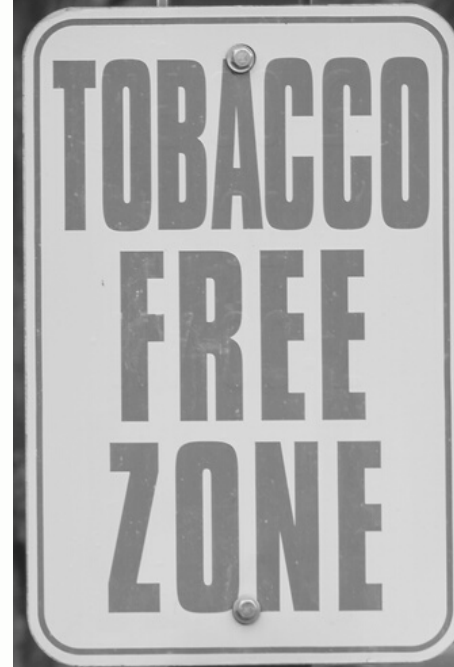
- *For restrictions on the use of Tobacco Products or Vapor Products in Outdoor Areas, signs shall be weather-resistant, at least 15 inches by 15 inches in size, with lettering of at least 1 inch, and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided.*



ADDITION #4

PENALTIES AND ENFORCEMENT

- ☐ Policy includes fines for violations. (Element 7)
- ☐ Policy designates a person or group responsible for enforcement. (Element 8)
- ☒ Possession of a lighted product is declared to be a nuisance. (Element 9)



ADDITION #4

PENALTIES AND ENFORCEMENT CONTINUED.

These three provisions mirror the penalties and enforcement in the state law regarding smoking in public places and workplaces (Title 21, section 1247).

These provisions should be included in any local ordinance regulating smoking.

- 1. Enforcement of this chapter shall be the responsibility of [insert name of appropriate City or County agency]. In addition, any peace officer or code enforcement official may enforce this chapter.*
- 2. Any person who knowingly violates this [article / chapter] shall be punished by a citation and fine of not less than [insert minimum fine amount] and not more than [insert maximum fine amount] in accordance with [insert article / chapter number] of the City of Norman Municipal Code.*

Oklahoma state law provides that a violation of state law is punishable by a citation and a fine of not more than \$100. (See Title 21, section 1247(M).) Your community should determine the appropriate amount for fines, although they cannot exceed the amount in state law.



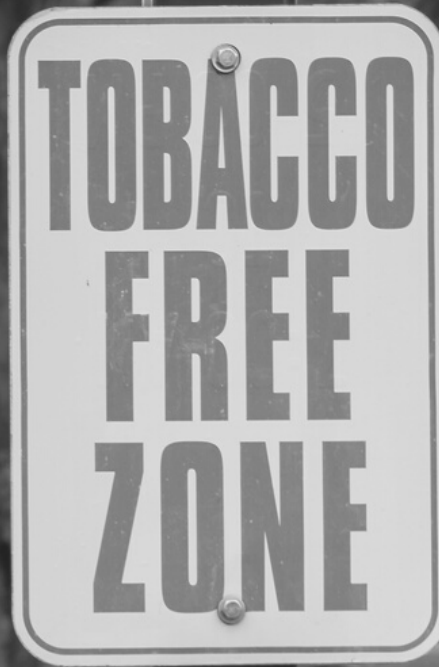
ADDITION #4

PENALTIES AND ENFORCEMENT CONTINUED.

3.The possession of a lighted Tobacco Product in violation of this [article / chapter] is a nuisance.

(Nuisance, which generally means a condition or activity that interferes with the use or enjoyment of property. By expressly stating that violations are nuisances, this provision may allow enforcement of the ordinance via administrative nuisance abatement procedures commonly found in municipal codes. Such a declaration also facilitates injunctive relief, where a court orders that a defendant do certain things or refrain from doing certain things, such as selling Tobacco Products to youth.)

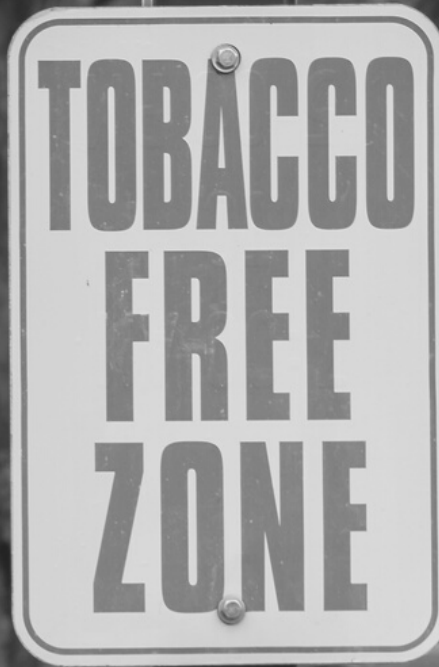
Also, available if requested are optional penalties and enforcements that should only be included if the city prohibits the use of tobacco products and vapor products on local government property.



ADDITION #5

Statutory Construction & Severability

- **Statutory construction and severability clause included (Element 10)**
 - *It is the intent of the City Council of the City of Norman to supplement applicable state and federal law and not to duplicate or contradict such law. The provisions of this ordinance are severable, and the invalidity of any provision of the ordinance shall not affect other provisions of the ordinance, which can be given effect without the invalid provision.*



TEAM MEMBERS

THANK YOU FOR YOUR TIME.



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THIS PRESENTATION
ACKNOWLEDGES THE
TRADITIONAL
AND SACRED TOBACCO USE
AMONG AMERICAN INDIANS
LIVING IN OKLAHOMA.
WHENEVER THE WORD
TOBACCO
IS REFERENCED IN THESE
MATERIALS, IT REFERS TO
THE USE
OF COMMERCIAL TOBACCO.

SOURCES

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