



## MEMORANDUM TO VENICE CITY COUNCIL

**THROUGH CHARTER OFFICER:** Edward Lavalley, City Manager      **E-SIGN:**  
**FROM:** James R. Clinch, Assistant City Manager  
**DEPARTMENT:** City Manager

**DATE:** 11/4/2022

**MEETING DATE:** 11/29/2022

**SUBJECT / TOPIC:** Ordinance 2022-30, Prohibiting Smoking from all City Parks, Beaches and Recreational Areas

**BACKGROUND INFORMATION:** This past session, the Florida Legislature amended Florida Statutes, Chapter 386.209, and eliminated the preemption which prohibited local governments from regulating smoking at public beaches and parks. The revised Statute was renamed the "Florida Clean Air Act". This legislation was expressly intended to allow for public protection from secondhand smoke's various health hazards and the associated environmental impacts of littering. The bill was approved by the Governor on June 24, 2022 and became effective July 1, 2022.

The City of Sarasota and the Town of Longboat Key have approved ordinances to implement the smoking prohibition at both parks and beaches. The Sarasota County Commission is continuing to research the issue and will be considering the ban at a future meeting.

This policy change would involve some minimal cost and staff labor, to produce and post updated signage at the public parks and to perform public outreach to inform and educate the public on the rule changes.

On September 13, 2022, City Council discussed this policy and directed staff through a Legislative Referral to draft an ordinance to prohibit smoking at public beaches and parks, consistent with the Florida Clean Air Act. Ordinance 2022-30 is attached for further consideration by Council.

**SUPPORTS STRATEGIC PLAN:** Goal Six: Preserve the Venice Quality of Life through Proper Planning

**COUNCIL ACTION REQUESTED:** Approve Ordinance 2022-30

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Yes    N/A

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Document(s) Reviewed for ADA compliance (required if for agenda posting) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | City Attorney Reviewed/Approval  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Risk Management Review   |



Finance Department Review/Approval

Funds Availability (account number): [Click or tap here to enter text.](#)

cc: