

7.10.3: Encourage Smoke-Free and Tobacco-Free Public Spaces

Glastonbury has long understood the risk to health and quality of life from tobacco use, and recently enacted a town-wide policy to prohibit use of tobacco and smoke products at town recreation areas. In 2017, a Smoke-Free Recreation Areas policy was adopted by Town Council in order to reduce exposure to second hand smoke **(Item N attached)**. This policy includes Glastonbury's recreation areas, multi-use trails and parking areas, as well as numerous other locations. The ordinance will reduce tobacco litter, prevent exposure to second hand smoke, and provide children and youth with a healthy, tobacco-free model as a norm. Details of implementation were developed to identify signage locations and permissible smoking areas **(Item O attached)**.

The ordinance was the subject of multiple newspaper articles, including the widely read Hartford Courant **(Item P attached)**. More than 30 signs were purchased and installed in recreation areas and parks across town, and signs identifying the designated smoking areas (where applicable) were also installed. Prohibition of smoking is specifically included (#13) on the policy sheet, which accompanies each application for use of the Glastonbury Boathouse and Riverfront Community Center **(Item Q attached)**.

During an unannounced August 2018 tobacco license compliance check conducted by Glastonbury Police Department in conjunction with the Connecticut Department of Mental Health and Addiction Services, more than 80% of businesses inspected were in compliance with laws related to selling tobacco products to minors. The offending clerks at the businesses that sold tobacco to a minor were issued an infraction in the amount of \$200, and the cigarette dealer license holder at each of those establishments also faces additional administrative sanctions from the Connecticut Department of Revenue Services.¹² **(Item R attached)**

Submit:

A resolution or, ordinance formally adopted by your governing body, or a letter from the municipal chief elected official or legislative body to document implementation of one or more policies to reduce tobacco use in your municipality.

Documentation Items:

- N.** See attached Glastonbury Ordinance Regarding Tobacco-Free and Smoke-Free Recreation Areas
- O.** See attached Tobacco Free Ordinance Implementation
- P.** See attached Peter Marteka (2017) "Glastonbury Council Enacts Tobacco Ban at Recreation Areas" *Hartford Courant*, 9/15/17
- Q.** See attached Boathouse Building Policies Schedule B

¹²<https://www.accessdata.fda.gov/scripts/oc/inspections/index.cfm?action=reporting.printerResultsPDF>

R. See attached Shawn R. Dagle (2018) "Tobacco Compliance Checks Conducted" *Glastonbury Citizen*, 8/16/18, p.15.

ITEM N: Town Smoke/Tobacco Free Ordinance

INTRODUCED: JULY 25, 2017
PUBLIC HEARING: SEPTEMBER 12, 2017
ADOPTED: SEPTEMBER 12, 2017
PUBLISHED: SEPTEMBER 15, 2017
EFFECTIVE DATE: SEPTEMBER 25, 2017

**TOWN OF GLASTONBURY
ORDINANCE REGARDING TOBACCO-FREE AND
SMOKE FREE RECREATION AREAS
CHAPTER 14, ARTICLE IV**

Be it Resolved by the Town Council that Chapter 14, Article IV, Section 14-54 to Section 14-59 of the Town Code is hereby adopted:

Sec. 14-54. Purpose; Legislative authority.

The purpose of this article is to promote the health, safety, and welfare of all persons using Town-owned or Town-operated recreation areas by prohibiting smoking and the use of any tobacco products at all Town-owned and Town-operated recreation areas.

This article is adopted in accordance with the provisions of § 7-148(c)(7)(H)(xvi) of the Connecticut General Statutes, as amended.

Sec. 14-55. Definitions.

As used in this article, the following terms shall have the meanings indicated:

RECREATION AREAS – shall mean any outdoor area owned and operated by the Town and open to the general public and where the public generally assembles for recreational purposes, including, but not limited to, beaches, pools, picnic areas, playgrounds, gardens, athletic fields, athletic facilities, bleachers, dog parks, skate parks, fairgrounds, tennis courts, basketball courts, concession areas, pavilions, parking areas, greens, Addison Bog multi-use trail, and other such recreation areas and support facilities and structures.

Recreation areas shall not include open space properties and natural areas owned and operated by the Town where the public generally does not assemble for recreation activities.

SMOKING – shall mean the acts of inhaling, burning or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco product intended for inhalation, whether natural or synthetic, in any manner or in any form. For the purposes of this subsection, “Smoking” shall also include the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, and marijuana use for medicinal or any other purposes.

TOBACCO PRODUCTS – shall mean any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, dissolved,

inhaled, snorted, sniffed, or ingested by other means, including, but not limited to, cigarettes, cigars, piped tobacco, chewing tobacco, and snuff. "Tobacco products" also includes any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar or pipe.

Sec. 14-56. Prohibition against using tobacco products or smoking in recreation areas.

No person shall engage in the act of smoking or use any tobacco products in any Town-owned or Town-operated recreation area.

Sec. 14-57. Penalties for offenses.

Any person who violates any provision of this article shall be subject to a fine of fifty dollars (\$50.00) for each separate offense or violation.

Sec. 14-58. Posting of signs.

Every recreation area shall have at least one conspicuously displayed sign which indicates that smoking and the use of any tobacco products are prohibited and that any person who violates the Town's prohibition on smoking or using any tobacco products in a recreation area may be fined.

Sec. 14-59. Designation of smoking and tobacco use areas for certain events.

Upon the approval of the Town Manager or Town Manager's designee, certain spaces within recreation areas may be designated as temporary or permanent smoking and tobacco products use areas. This section shall also apply to recreation areas reserved for exclusive use or leased by the Town.

ITEM O: Evidence of Ordinance Implementation

September 14, 2017

MEMORANDUM

To: Raymond E. Purtell, Director of Parks & Recreation
Wendy Mis, Director of Health
Thomas J. Sweeney, Director of Police Services

From: Richard J. Johnson, Town Manager

Re: Town Code

Attached is a copy of the newly enacted ordinance entitled "Ordinance Regarding Tobacco-Free and Smoke Free Recreation Areas."

Please review and set a time with Yolanda so that we can review implementation.

RJJ:yo
Attachment

RECEIVED
OCT 20 2017
GLASTONBURY HEALTH DEPT.

TOWN OF GLASTONBURY
PARKS & RECREATION

MEMORANDUM

To: Richard J. Johnson, Town Manager
Thomas Sweeney, Director of Police Services
Wendy Mis, Director of Health

From: Raymond E. Purtell, Director of Parks & Recreation

Date: October 18, 2017

Re: Tobacco Free and Smoke Free Recreation Areas



Following up on our earlier conversation, I have enclosed the following documents for your review.

- List of Tobacco Free and Smoke Free Recreational Areas.
- List of Designated Smoking Areas within Recreation Areas.
- A copy of the separate, but related, Prohibition of Smoking in School Facilities.
- Proof copies of signs proposed for use to advise facility users of the prohibition and/or designation.
- GIS maps that depict the proposed designated smoking areas.

Please let me know if you have any questions or concerns. Upon receipt of Town Manager approval, signs will be ordered and posted conspicuously at each recreation area.

REP:alp

Enclosures

TOBACCO FREE AND SMOKE FREE RECREATION AREAS

SIGNS

Academy Field Complex (including Skate Park)	2
Addison Bog & Woodlands	2
Addison Park	4
Buckingham Park	1
Butler Field	2
Center Green	2
Eastbury Pond	2
Ferry Landing	1
Grange Pool	1
High Street Park	1
Hubbard Green	2
Riverfront Park & Fairgrounds	4
Ross Field & Community Gardens	3
Rotary Field	1
Salmon Brook Park	2
Welles Park	1
Williams Park	2
Total	33

DESIGNATED SMOKING AREAS

Recreation Area

Designated Smoking Area

Riverfront Boathouse	Patio*
Riverfront Community Center	Patio
Riverfront Fairgrounds	Northwest Corner 50' x 50'
Minnechaug Golf Course & Restaurant	Designated by Lessee
Winter Hill Farm	Designated by Lessee
Williams Park	Pavilion*

*Designated as a smoking area only when a private function is reserved and booked by written agreement, otherwise the area is a tobacco free area.

Designated Smoking Area sign to be posted at Riverfront Fairgrounds and Riverfront Community Center patio.



Sizes: 6" x 6" at Community Center patio
12" x 18" at Fairgrounds.

Community Center & Fairgrounds Designated Smoking Areas



1: 2,329

388 Feet

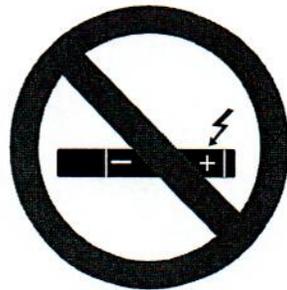


NAD_1983_StatePlane_Connecticut_FIPS_0600_Feet
© Town of Glastonbury GIS

This map is a user generated static output from an Internet mapping site and is for reference only.
Data layers that appear on this map may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

12" x 18"



**SMOKING
AND
TOBACCO USE
PROHIBITED IN TOWN
RECREATION AREAS
VIOLATORS SUBJECT TO FINE**

TOWN OF GLASTONBURY ORD. SEC. 14-54 thru 14-59

Williams Park Designated Smoking Areas



This map is a user generated static output from an Internet mapping site and is for reference only.
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

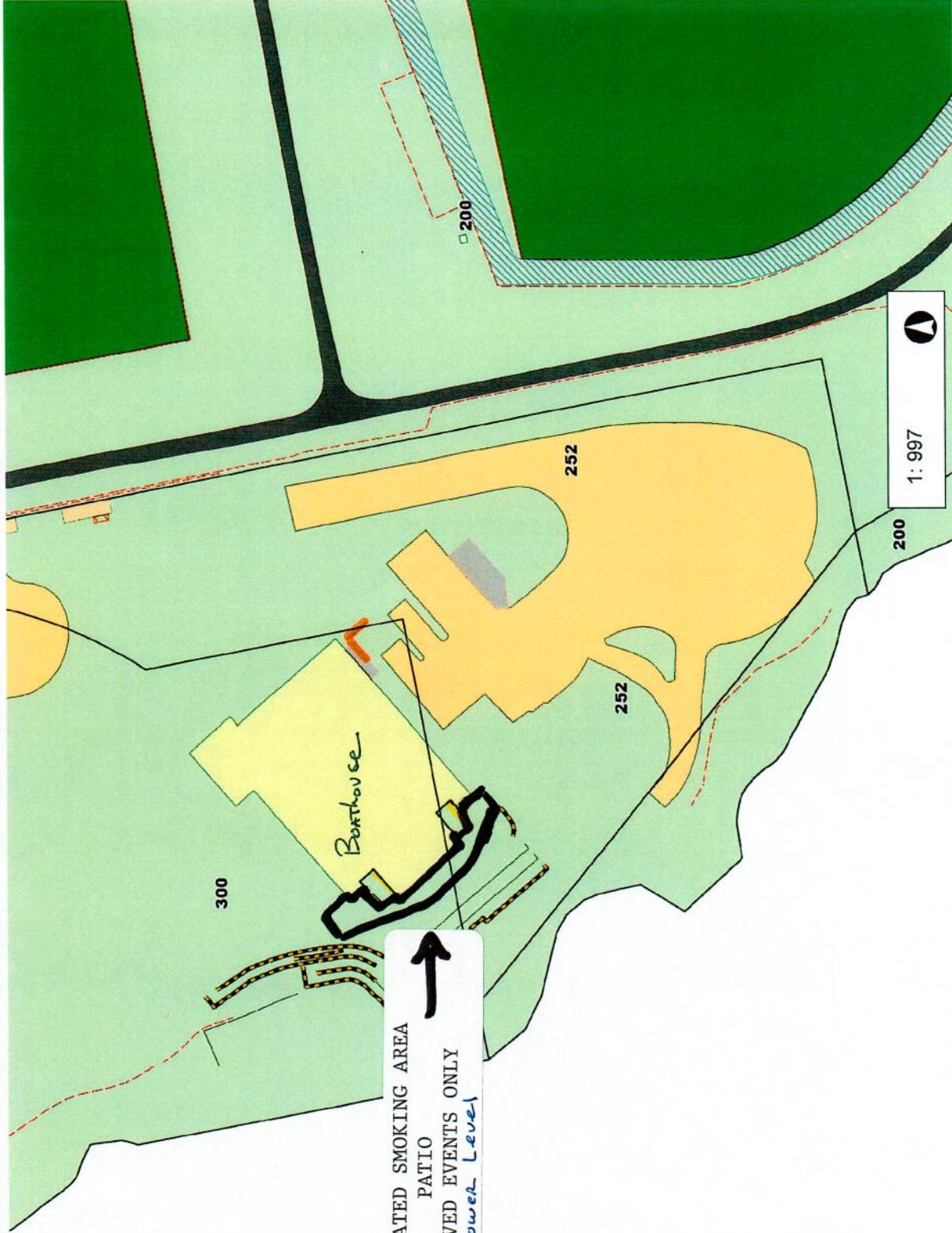
THIS MAP IS NOT TO BE USED FOR NAVIGATION

556 278 0 556 Feet

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© Town of Glastonbury GIS



Riverfront Boathouse Designated Smoking Areas



DESIGNATED SMOKING AREA
PATIO
RESERVED EVENTS ONLY
Lower Level



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Prohibition of Smoking in School Facilities

In accordance with law and to promote the health and safety of all students staff, the District prohibits all employees, students and patrons from smoking using tobacco or tobacco products in all school facilities, buildings and buses or other District transportation at all times, including athletic events (indoors or outdoors) and meetings. This prohibition extends to all facilities the district owns/operates, contracts for or leases to provide educational services, routine health care, daycare or early childhood development services to children, as well as facilities in which services are not provided to children.

Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine delivering systems, vapor products, chemicals or devices that produce the same flavor or physical effect of nicotine substance; and any other tobacco or nicotine innovations.

Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

Vapor product means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.

Regulation
Adopted: March 9, 2015

Prohibition of Smoking in School Facilities

This policy applies to all employees, students and visitors at all times.

Smoking of any kind is prohibited in the buildings, vehicles, and on the grounds of Glastonbury Public Schools.

(cf. 1120 Board of Education Meetings)
(cf. 1330 Use of School Facilities)
(cf. 4118.231/4218.231 Smoking Prohibition)
(cf. 5131.6 Drugs, Tobacco, and Alcohol)
(cf. 5131.7 Smoking Prohibition)

Legal Reference: Connecticut General Statutes
Sec. 19a-342 Smoking prohibited in certain places. Signs required.
Penalties.
21a-242 Schedules of controlled substances.
P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding
Electronic Nicotine Delivery Systems and Youth Smoking Prevention.
PL 107-110, Section 4303, "Nonsmoking Policy for Children's Services"
20 U.S.C.7081-7184 The Pro Children Act of 2001
Public Act 93-304
An act prohibiting smoking in public buildings

Policy

Adopted: October, 1981
Revised: March, 1982
Revised: June 7, 2004
Revised: March 9, 2015

ITEM P

Glastonbury Council Enacts Tobacco Ban At Recreation Areas



A new town ordinance in Glastonbury has banned smoking from public parks.



By **Peter Marteka**
Nature's Path & Way To Go

SEPTEMBER 15, 2017, 6:00 AM | GLASTONBURY

Denise Weeks was sitting outside at a restaurant and watched a man walking back and forth on the sidewalk smoking a cigarette, she said.

"I was really uncomfortable enough to want to move," she said. "I think it's appropriate that in our town parks and places where people congregate that this makes a lot of sense. It's a hazardous thing to be exposed to that and the more we can regulate it and create safe places for people, the better off we all are."

Those smokers will have a few less places to light up, chew or vape after the town council on Tuesday passed an ordinance prohibiting the use of tobacco products at town-owned recreation areas. The ordinance would be enforced by police officers, with fines of \$50 for each violation. The banned areas include beaches, pools, picnic

areas, athletic fields, the dog park, skate park, parking areas, town greens, the Addison Bog and Woodlands multiuse trail and the fairgrounds.

The council voted 8-1 in favor of the ordinance which goes into effect later this month. Councilman Kurt P. Cavanaugh was the lone no vote.

"I'm going to rely on the decency of people to do the right thing and not have to pass a law," he said.

Glastonbury resident Vivian Pers was enjoying a walk at Riverfront Park Thursday morning with her friend Shana Belmont and applauded the council's decision.

"It bothers me, especially at places like the beach," Pers said. "I have three children and it's secondhand smoke they are breathing in. Nobody wants that. When you are not used to smoke, it can be really unnerving. It really comes down to common courtesy. Hopefully this sends a message to those who think they can smoke anywhere."

"If they have to smoke, it should be far away as possible and not be in the stands at a game," added Belmont.

The ordinance bans smoking at places leased by the town including Minnechaug Golf Course, Riverfront Park boathouse and Glastonbury Hunt Club, a horse farm. But Town Manager Richard J. Johnson can approve designated smoking areas at those facilities.

Resident Gerald McDonald said the ordinance was a "bit of an overkill."

"I don't see why it is mandatory," he said. "Smoking is a bit annoying, but I think people can do it away from others."

"It comes down to common sense," said Katia Porter, who was visiting the town's dog park Thursday. "I think people should be clued up enough when it comes to where they can and should smoke."

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Building Use Policies - Schedule B

I. Building Use

1. The Client shall check in with the Event Supervisor on duty when entering the building for an event.
2. The Client and Preferred Caterer are responsible for clean-up after use. Clean-up includes throwing all trash in garbage cans, all recyclables in recycle containers, and removing everything brought into the building for the event out of the building. Clients are expected to notify the Event Supervisor in the event of damage and/or large spills.
3. The Client must finalize room set-up at least 10 business days prior to event with the Rental Agent. Furniture should only be moved by Preferred Caterers and town authorized staff to prevent damage. All event set-up must be in compliance with fire code and meet the approval of the Event & Banquet Facility Manager. Any changes made to the room set-up within less than 10 days of the event will be accommodated as reasonably possible.
4. The Client will be charged for any damage incurred during their use of the facility.
5. Children require appropriate adult supervision at all times. Adult to children ratios will be determined by Town staff at time of application.
6. The Client must confine their activities to the designated area. It is exclusively the responsibility of the Client to supervise program attendees.
7. A Town employed and assigned Event Supervisor will open, supervise and close all facilities. Keys will not be given to any non-staff person. An Event Supervisor shall be present in the facility during all times it is being used.
8. In the event that the building is not open at your contracted start time, Police Dispatch may be contacted at 860-633-8301 for further assistance. (*The building may not be opened prior to your contracted start time.*)

9. The Town reserves the right to dispose of any items left on the premises after five days.
10. Parking at Riverfront Park should be coordinated with the Rental Agent, as the parking lot is open to the general public. We will do our best to ensure that you have adequate parking for your guests, however, availability in the main lot is not guaranteed. The Town is not responsible for vehicle damage or theft that occurs in the park. Valet service may be coordinated, if desired, at the expense of the Client.
11. Riverfront Park is open for public use from dawn until dusk (10:00 p.m. for basketball). Town staff will do their best to ensure that there are no major conflicts when booking events. Clients must be aware of the shared use of the park and parking lot. The Client may contract police security if desired, at their own expense. There is a four hour minimum for police security, and requests require one week's notice.
12. All local, state and federal laws and regulations must be obeyed.
13. Smoking is not permitted in the building, on the Observation Deck, Waterfront Patio, or within 75 feet of the building entrances.
14. The consumption of alcohol is not allowed in the parking lot, on park grounds, or any undesignated area.
15. No Keg Beer or Kegs are allowed.
16. If an event is cancelled for any reason, it is the responsibility of the Client to notify their group and/or make announcements over the local radio stations.
17. Capacity regulations as defined by the Fire Marshal will be strictly enforced.
18. The sale of items in violation of, or inconsistent with the Town policies will not be permitted.
19. Unless specifically designated by the Town, there is no storage space available for building users.
20. The use of propane grills or heaters is strictly prohibited inside of the building and on the Observation Deck.
21. No exit or egress may be blocked at any time.
22. Fireworks of any kind (including sparklers) are strictly prohibited.
23. "Sky Lanterns" cannot be released or launched on Town property.
24. Pets are not allowed in the building. Working guide/assistance animals are permitted.

25. Building users cannot put signs on the building or property without prior approval of the Rental Agent.
26. The Event Supervisor has the right to adjust event set-up at any time to accommodate security, walkways, etc.
27. All payments including damage/security deposits must be paid in full according to the rental contract in order to utilize the facility.
28. If having a DJ, band or music outdoors, the music must end no later than 11:00 p.m.
29. The building closes at midnight for all Private Events. Alcohol service must end 30 minutes prior to end of event.
30. Windows shall not be opened without approval of the Event Supervisor. Doors may not be propped open at any time.
31. At least 2 boat trailer spaces must be left open at any time during boating season (May – October). The Town reserved the right to ask guests to move cars if necessary.

II. Use of Equipment

1. The Town will provide up to sixteen 72" round tables, six 6' long tables and 156 chairs for use in the Banquet Hall. All other event rentals must be coordinated by the Client or caterer. Set-up will be the responsibility of the caterer.
2. All use of Town equipment must be authorized by the Rental Agent or Event Supervisor on duty.
3. No apparatus, furniture, or equipment is to be moved into the facility by the Client without prior approval by the Rental Agent.
4. Use of integrated AV equipment (screen, sound system) must be coordinated with the Preferred Audio Visual Provider in advance. Last-minute use must be approved by the Event Supervisor, and the appropriate charges will be deducted from the Client's security deposit. Only the Event Supervisor and Preferred AV Provider's staff may operate the equipment. It is strongly recommended that Clients using the integrated equipment hire a technician, as the Event Supervisor is not responsible for troubleshooting technical difficulties. DJs may not use the integrated speakers at any time.
5. Clients are not permitted to bring any inside furniture outdoors or any outdoor/patio furniture indoors for any event or function, unless approved by the Event Supervisor. All tables and chairs for outdoor events must be rented.
6. Rentals, flowers and decorations should be delivered at the start of the event and picked up at the close of their event. If other arrangements are necessary, the Client must work with the Rental Agent who will attempt to accommodate earlier

deliveries and/or later pick up of delivered items. This service is based on availability and cannot be guaranteed. Clients seeking special accommodations for delivery/pickup should make their request to the Rental Agent two (2) weeks prior to the event date. The Town of Glastonbury takes no responsibility for items left at the facility for rental/event use. Town staff will not sign delivery/pickup paperwork.

7. Outdoor events with food service require a tent. Tents shall only be erected on areas designated by the Town, and must comply with the State of Connecticut Tent and Portable Shelter Code. All tent rentals, lighting, generators, and other outdoor event equipment must be coordinated through the preferred caterer.

III. Use of Decorations

1. Nothing may be affixed to/hung from walls, ceiling, pipes, ducts or light fixtures. Use of tape, thumbtacks or nails is strictly prohibited.
2. Décor services that require a ladder must be performed by a decorator with General Liability and Worker's Comp insurance. Hanging decorations must be approved by the Banquet Facility Manager.
3. Due to fire hazards, all open flames (table candles, etc.) must be enclosed. All candles, sterno candle lamps, etc. that will be ignited must be done so by authorized catering staff. (*Clients are encouraged to use battery operated candles*).
4. Helium balloons may not be used in the Banquet Hall.
5. The use of confetti and glitter is prohibited.
6. The use of fog machines is prohibited.
7. Nothing may be thrown (rice, confetti, etc.) inside the facility or on park grounds.
8. All decorations must be removed in their entirety at the end of usage of the facility.
9. String lighting and/or any other decoration(s) that must be plugged in must be previously approved by Rental Agent. (*Clients are encouraged to use battery operated string lighting and decorating devices*).
10. Clients and vendors shall not use tape of any kind to "tape down"/secure cords for amplifiers, sound system, etc.
11. All decorations must be discussed with the Rental Agent. The Town reserves the right to restrict the use of any decorations that are deemed potentially damaging, obstructive, dangerous, messy, or inappropriate.

Tobacco Compliance Checks Conducted

by Shawn R. Dagle

The Glastonbury Police Department (GPD) and the Connecticut Department of Mental Health and Addiction Services conducted tobacco compliance checks at nearly a dozen local businesses earlier this month.

According to GPD, officers from their department and a special investigator from the state performed the compliance checks on August 7 at approximately ten local businesses, two of which were found to be in violation.

As part of the compliance checks, an underage youth employed by the Tobacco Prevention and Enforcement Program entered the businesses and attempted to purchase tobacco

products.

The two businesses found to be in violation were the Shell Food Mart at 556 Hebron Avenue and the Mobil Mart at 2997 Main Street.

The offending clerks at the businesses were issued an infraction in the amount of \$200, said police.

"The cigarette dealer license holder at each establishment also faces additional administrative sanctions from the Department of Revenue Services, the state agency that issued the cigarette dealer licenses," said police.