

Conway bans all tobacco in parks Law passes 7-1, includes sports venues

By Debra Hale-Shelton
Wednesday, March 24, 2010

CONWAY — Cigarettes, snuff and other tobacco products will soon be taboo, not to mention illegal, in city parks and recreational facilities, the Conway City Council decided Tuesday night.

The vote to ban the use of the products was 7-1, with Alderman Mark Vaught voting no.

The ordinance applies to areas, buildings, offices or structures, enclosed or open, that are accessible to the public and used for athletics, walking or biking, relaxation, entertainment, cultural development, or other similar park and recreational activities. The ordinance prohibits not only the use of tobacco products in these areas but also their disposal there.

The measure carried an emergency clause, approved unanimously, and will take effect as soon as the city can publish the ordinance in the local newspaper and erect signs - probably in about a month, Mayor Tab Townsell said.

Violations carry fines of \$25 for the first offense, \$50 for the second offense and \$100 for subsequent offenses. Penalties also include court costs.

Alderman Theo Jones was quick to reject an alternate proposal to create designated smoking areas in parks. "Who's to say a kid is not going to be around that area?" he asked.

But Vaught suggested the city should erect signs asking people not to smoke rather than mandating a ban by law.

"I just think we're going way too far," he said.

"Can't we rely on people's common decency" to honor such a request? Vaught asked.

"And you're from where?" Jones countered.

Enforcement of a smokeless-tobacco ban will be difficult, Alderman David Grimes said, but it's "just as dangerous" as cigarettes.

"Kids see adults using it," Grimes said. "They can be encouraged" to do the same.

Alderman Shelley Mehl concurred, saying the council should "seriously consider the examples" being set in public parks.

Tobacco bans in parks are important, said Dr. Carolyn Dresler, director of the Arkansas Health Department's Tobacco Prevention and Cessation Program.

"It's showing the kids what is a behavior to be modeled," Dresler said. "You want to be in an environment where it is normal not to use tobacco. ... Kids start using tobacco whether it's cigarettes or smokeless ... because they saw somebody else doing it."

Further, second-hand cigarette smoke can cause immediate health problems for nearby people with allergies, Dresler said.

Conway will soon be opening new parks, and sports teams will be coming from other states where tobacco use in parks is less common, Alderman Jim Rhodes said. "Now is the time" to pass the ordinance, Rhodes said.

Some park employees smoke while they mow the grass, Conway Parks and Recreation Director Brian Knopp said.

"We can't do something we're going to ask others not to do," Knopp said.

Conway resident Morris Troglin, a former smoker, spoke against a tobacco ban.

"It's kind of like trying to legislate morals and common sense," he said. Education is a better route, he added.

Since Oct. 1, 2009, Little Rock has had a smoke-free parks policy, which includes city-owned golf courses and the riverfront. But that policy is a request, not a law.

Since 1999, North Little Rock has had a parks policy that prohibits tobacco use within fenced-in athletic facilities and requires smokers to be at least 10 feet from bleachers. Russellville restricts tobacco use in parks by allowing it only in parking lots.

Other cities with smokefree park policies, Dresler said, include Gurdon, El Dorado, Huntsville and Melbourne. She did not know whether the policies are in the form of ordinances and legally binding as Conway's ordinance will be.

It is important to expand such bans to all tobacco products, Dresler said, noting that Arkansas ranks third nationally in the number of young people who use smokeless tobacco.

A relatively new smokeless tobacco product, she said, comes in a tiny pouch that the user places between his cheek and gums, thereby receiving the nicotine but disguising the fact he is using tobacco. No spitting is involved, and the user later disposes of the pouch.