



**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**  
**POLICY ADVISORY COMMITTEE**  
(Commissioners Herrera, Ober, and Emmerich-Chair)  
October 18, 2012, 6:00 p.m.  
Municipal Center - 421 Main Street, Conference Room 1

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*Materials related to an item on this Agenda are available for public inspection in the Park Division Office at 965 Fir Street during normal business hours or online at <http://www.chico.ca.us/>.*

**1. CALL TO ORDER**

**2. REGULAR AGENDA**

**2.1. Develop a Recommendation to the City Council on a City Parks Smoking Ban**

The City Council has requested a recommendation on a smoking prohibition for City Parks and further clarification on whether it would include the Bidwell Golf Course or smoking inside cars.

**Action:** Staff seeks a PAC recommendation (which will be considered by the BPPC) on smoking prohibitions in City Parks.

**3. BUSINESS FROM THE FLOOR**

Members of the public may address the Commission at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Commission cannot take any action at this meeting on requests made under this section of the agenda.

**4. ADJOURNMENT**

Adjourn to the next regular meeting on November 15, 2012, at 6:00 p.m., in Conference Room 1, Chico Municipal Center Building (421 Main Street, Chico, California).

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DATE: 10/8/12  
TO: Policy Advisory Committee  
FROM: Dan Efseaff, Park and Natural Resource Manager  
SUBJECT: Input and Recommendations from the Bidwell Park and Playground Commission on Smoking Prohibitions in City Parks

**Recommendation**

*Staff seeks a Policy Advisory Committee's (PAC) recommendation on a smoking ban in City Parks. This item will be forwarded to the full Commission and then to Council.*

**Background**

On August 21, 2012, the City Council voted 7-0 to "request the Bidwell Park and Playground Commission to continue further discussion and forward a recommendation to the Council on prohibiting smoking in all City parks, with the possible exception of the Bidwell Golf Course, and to establish clear rules on smoking in vehicles in the parks."

Currently, smoking is prohibited in City Plaza, Caper Acres, and portions of Children's Playground due to the high proportion of children and people in these areas. Prohibitions on smoking in designated areas in Middle and Upper Bidwell Park (excluding the Bidwell Municipal Golf Course (BMGC), the Chico Rod and Gun Club, and inside an enclosed vehicle) from May 1 to November 1 to reduce the threat of fire. Current regulations allow the BPPC to designate other non-smoking areas if determined a fire hazard area. In August 2012, the Chico Area Recreation and Parks District (CARD) adopted smoking prohibitions at all CARD facilities.

While the Bidwell Park Master Management Plan does not directly address smoking (other than the fire restriction), the plan notes the importance of protecting, preserving and enhancing air quality in Bidwell Park (O. AQ-1, O. AQ-3), and that an argument can be made on the positive effects of a ban on aesthetics, reduced fire hazards and litter, and the reduction of potential secondhand smoke health impacts to other park users.

**Discussion**

The Council previously requested that the BPPC provide input and a recommendation to the City Council's Internal Affairs Committee. The Policy Advisory Committee originally addressed the smoking issue at its 01/19/12 meeting in which it explored the impacts on the Park of: 1) status quo (no change), 2) additional restrictions (in additional areas and/or times that smoking is prohibited); or 3) a comprehensive ban. At its 01/30/12 meeting, the BPPC indicated support for a smoking prohibition and forwarded the following considerations to the Internal Affairs Committee:

- Impact of cost to the Parks Division for implementation (signs, education, enforcement),
- Enforcement and compliance concerns,
- Whether any allowance should be made for the Rod and Gun Club and the Golf Course,
- Concern about infringement of personal rights,
- Consistency of the rules across City properties to minimize confusion,
- Consideration of smoking inside vehicles that are inside the park (for example, under the current smoking restrictions for fire; smoking is acceptable in a car, would it be if it was banned? Would it if the car was moving? Parked?),
- Whether a rationale for the ban would need to be developed for smoking in open areas, and
- Improved esthetics, reduced litter, and reduced fire danger.

The current request takes it a step further and asks the BPPC to recommend to Council their recommendation on a smoking prohibition in City parks. Whereas previously, the BPPC raised questions that the Council should address as part of any smoking prohibition, staff now looks to the PAC to address the questions/considerations above and develop a clear recommendation to the BPPC, and ultimately the Council. The following questions may help develop the recommendation:

- Does the BPPC recommend that the Council adopt a smoking prohibition in City Parks?
- Will it extend to other City-owned properties (greenways)?
- Should there be any exemptions (golf course, cars, other areas, etc)?
- Any considerations related to enforcement or costs?

Staff will provide information on current status and issues. Any proposed changes to the current smoking policy will require revision of the Chico Municipal Code (CMC) (likely Title 12 entitled "Parks" and Title 12R entitled "Rules and Regulations of Bidwell Park and other Parks and Playgrounds"). In the event the City Council approves a smoking ban, with or without restrictions, the City Attorney will craft language for inclusion in the CMC's Rules and Regulations.

Staff recommends that the recommendation from the PAC come in the form of a motion. Staff will then develop a report on the Pac's findings.

#### **Fiscal Impact**

Costs are uncertain and depend on the direction of the Council. Additional enforcement and education responsibilities and costs (such as signage, news releases, information on the City website, notification on the park permit application and direct interaction with park users) are likely but uncertain without additional information about how a program would be initiated (for example, the installation of one new sign costs approximately \$60).

**Attachment: None**

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