

ORDINANCE NO. _____

AN ORDINANCE amending the Park Code of Thurston County, Thurston County Code Chapter 10.76, to update the Definitions section to recognize the current management structure of Thurston County with regard to parks and related facilities and properties and to include prohibiting of smoking and use of tobacco and vaping products in Thurston County parks and preserves, and on Thurston County trails, in order to protect visitors and volunteers from the known dangers of secondhand smoke and to prevent initiation of tobacco use.

WHEREAS, the Board of County Commissioners adopts the following findings:

1. Smoking of tobacco is the number one preventable cause of death in Washington State and across the United States;
2. There is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to health. Since 1964, approximately 2,500,000 nonsmokers have died from health problems caused by exposure to secondhand smoke;
3. The State of Washington has a Smoking in Public Places law (RCW 70.160), established by citizen initiative in 2005, which prohibits smoking in public places and places of employment to protect the public from the harmful effects of secondhand smoke. This law primarily protects people in indoor environments;
4. In Thurston County, 14% of adults smoke. Among 12th grade youth, 14% smoke cigarettes, 23% use vapes, and 26% use one or the other or both (Healthy Youth Survey, 2016). Research has shown youth who use vapes are more likely to start smoking;
5. On May 31, 2013 the Board of County Commissioners adopted resolution 14885, establishing a Tobacco Use and Smoking policy, effective January 1, 2014, that prohibits smoking and use of tobacco and e-cigarettes on county properties with buildings that are public places or places of employment, with limited exceptions, and to prohibit all marijuana use on said properties;
6. Other cities in Thurston County and other counties in Washington State have adopted similar rules to limit or prohibit smoking in parks and recreation areas to support healthy activity and prevent secondhand smoke or vapor impacts to the many users of these public spaces; and
7. Thurston County's mission is "to create a community that promotes health, commerce, and environmental protection with transparency and accountability."

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY hereby ordains as follows:

Section 1.

Section 10.76.030 (“Definitions.”) of Chapter 10.76 – Park Code is amended as follows:

(2) "Director" means the director of the ~~park and recreation~~ public works department of Thurston County.

Section 2.

Chapter 10.76 – Park Code is amended to include a new section:

10.76.430 – Smoking, Tobacco, Vaping and Marijuana.

No person shall smoke or use tobacco, vaping or marijuana products in any Thurston County park, preserve or on any trail.

Section 2. Severability. If any term or provision of this Ordinance, or its application to any person or circumstance, is held to be invalid, illegal or unenforceable by any court or agency of competent jurisdiction, the remainder of this Ordinance, and the application of the provision to other persons or circumstances, shall not be affected.

Section 3. Effectiveness. This ordinance shall take effect immediately upon adoption.

ADOPTED: _____.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Clerk of the Board

Bud Blake, Chair

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

John Hutchings, Vice Chair

Gary Edwards, Commissioner

Travis Burns
Deputy Prosecuting Attorney