

RESOLUTION NO. 2021-029

RESOLUTION OF THE MAYOR AND CITY COUNCIL URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION TO PROHIBIT THE SMOKING OF TOBACCO PRODUCTS AND VAPING PRODUCTS ON PUBLIC BEACHES AND PUBLIC PARKS, AND PROVIDE COUNTIES AND MUNICIPALITIES AUTHORITY TO ISSUE CIVIL PENALTIES AND CITATIONS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, according to the United States Center for Disease Control, the combination of smoke from the burning of tobacco products and the smoke exhaled from the smoker, referred to as second hand smoke, exposes nonsmokers to thousands of chemicals, hundreds of which are toxic and 70 known to cause cancer; and

WHEREAS, as of 2018, nearly 14 of every 100 (14.0%) of U.S. adults aged 18 years or older currently smoke cigarettes; and

WHEREAS, cigarette smoking causes more than 480,000 deaths each year in the United States; and

WHEREAS, there is no risk-free level of second-hand smoke exposure, and even a brief exposure can be harmful to one's health; and

WHEREAS, about 2.5 million nonsmokers have died from health-related illnesses caused by exposure to secondhand smoke since 1964; and

WHEREAS, prohibiting tobacco products at public beaches and parks shall prevent exposure to toxic and cancerous chemicals; and

WHEREAS, in January 2018, the National Academies of Science, Engineering and Medicine released a consensus study report that reviewed over 800 different studies, and the report made clear that using e-cigarettes cause health risks, and e-cigarettes emit a number of potentially toxic substances including acetaldehyde, acrolein (a herbicide primarily used to kill weeds), and formaldehyde, which can cause lung disease, as well as cardiovascular disease; and

WHEREAS, a study from the University of North Carolina found that the two primary ingredients found in e-cigarettes, namely: propylene glycol and vegetable glycerin are toxic to cells and the more of these ingredients in an e-liquid, the greater the toxicity; and

WHEREAS, E-cigarettes can cause lung injuries and COPD, asthma, and lung cancer; and

WHEREAS, the health, safety and welfare of the residents of the State of Florida can be served by prohibiting the smoking of tobacco products and vaping products on public beaches and public parks.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

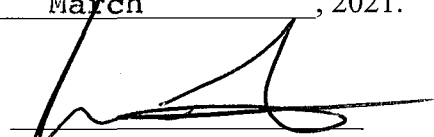
Section 1. The foregoing preamble is hereby incorporated herein.

Section 2. The City of Hialeah respectively urges the Florida Legislature to prohibit the smoking of tobacco products and vaping products on public beaches and public parks, and provide counties and municipalities authority to issue civil penalties and citations.

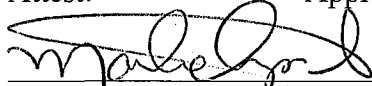
Section 3. The City Clerk is directed to send a certified copy of this Resolution to the Florida League of Cities, Miami-Dade League of Cities, Miami-Dade County, the Clerk for the Senate and House of Representatives, the Governor, and such other authorities as may be appropriate.

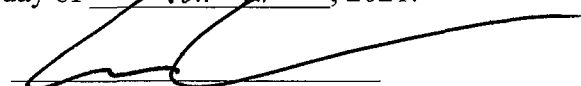
Section 4: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 9 day of March, 2021.

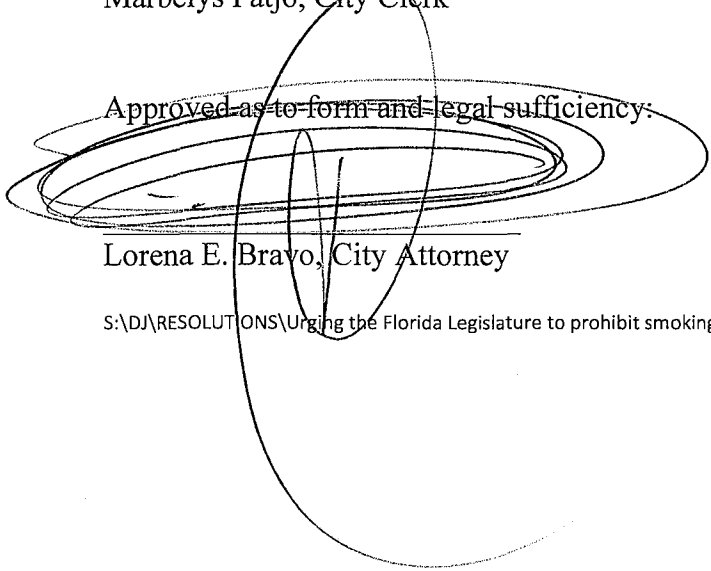

Jesus Tundidor
Council President

Attest: Approved on this 10 day of March, 2021.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

~~Approved as to form and legal sufficiency:~~


Lorena E. Bravo, City Attorney

Resolution was adopted by 7-0 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Hernandez, Perez, Tundidor, and Zogby voting "Yes."