

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH PARKS AND RECREATION DEPARTMENT RULES, WHICH CURRENTLY PROHIBIT SMOKING TOBACCO PRODUCTS IN ALL CITY PARKS, TO EXTEND SUCH PROHIBITION TO INCLUDE SMOKING NICOTINE VAPORIZERS (E-CIGARETTES) THROUGHOUT THE CITY'S PARKS.

WHEREAS, a fundamental purpose of municipal government is to promote and protect the health, safety and general welfare of its residents and visitors; and

WHEREAS, the City of Miami Beach ("City") Parks and Recreation Department has established rules, relating to the use of the City's Parks, with the goal of providing the City's residents and visitors with a safe and enjoyable environment; and

WHEREAS, U.S. Surgeon General's Report has concluded that secondhand smoke exposure causes disease and premature death in children and adults who do not smoke, and that children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS). Equally important, adults exposed to secondhand smoke experience immediate and destructive adverse effects on the cardiovascular system, which leads to causes of coronary heart disease and lung cancer; and

WHEREAS, to ensure a healthy and clean environment, and maintain the beauty of the City's Parks, smoking tobacco products is prohibited throughout the City's Parks; and

WHEREAS, according to recent empirical studies and widespread news reports, the use of electronic cigarettes (e-cigarettes) has skyrocketed to alarming popularity across the nation, particularly among America's youth; and

WHEREAS, as reported by Johns Hopkins Medicine, the primary agent in both regular cigarettes and e-cigarettes is nicotine, which is a highly addictive chemical and will cause the user to suffer withdrawal symptoms should there be a termination of the consumption of any nicotine product. Nicotine is a toxic substance, which raises blood pressure and spikes adrenaline, which in turn increases heart rate and the likelihood of having a heart attack; and

WHEREAS, the Center for Disease Control and Prevention ("CDC") has recently reported a direct link between vaping e-cigarettes and lung disease, which have resulted in at least two (2) deaths. As such, there are many unknown destructive side effects concerning e-cigarettes, including what chemicals are utilized in the vaping substance, and how they affect physical health over the long-term period of time; and

WHEREAS, the Mayor and City Commission hereby finds that it is in the best interest of the City of Miami Beach to protect the health, safety and welfare of the City's residents and visitors, and to prohibit the smoking of nicotine vaporizers or similar products throughout the City's Parks, and to further direct the Administration to modify and place all appropriate City Park signage in order to notify the public of this prohibition.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby amend the City of Miami Beach Parks and Recreation Department Rules, which currently prohibit smoking tobacco products in all City Parks, to extend such prohibition to include smoking nicotine vaporizers (e-cigarettes) throughout the City's Parks.

PASSED AND ADOPTED this 16th day of October, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner John Elizabeth Alemán)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


YL City Attorney

10-15-19
Date