

Shore News Today

NJ Assembly Committee Passes Beach No-Smoking Law

Michael Feeley, April 3 2014

Secondhand smoke and beach litter were key issues when the state Assembly committee on Tourism and Gaming passed a proposal last week to eliminate smoking at state public and municipal beaches as well as other recreational areas. The bill will now go to the full Assembly for a vote.

The bill is designed to eliminate exposure to secondhand smoke at beaches and parks, cut down on litter (as cigarette butts are the most frequent item of litter collected during beach cleanups) and improve fire safety in those public areas.

The proposed law states that “the prohibition of smoking a public parks and beaches would better preserve the natural assets of this state by reducing litter and increasing fire safety in those areas, while lessening exposure to secondhand tobacco smoke among the public.”

Violators would get fined \$250 for a first offense, \$500 for a second offense and \$1,000 for subsequent ones. Smoking would still be allowed in parking lots near beaches and parks.

Jeff Tittel, director of the New Jersey Sierra Club, said litter from smoking is a major problem on the state’s beaches.

“We pick up tens of thousands of cigarette butts,” said Tittel.

According to Karen Blumenfeld, executive director of Global Advisors on Smokefree Policy, more than a third of New Jersey’s municipalities have laws on the books that restrict smoking in parks and recreational areas. Blumenfeld said some beach towns have banned smoking on their sands, including Seaside Park, Long Branch and Sunset Beach in Cape May Point.

“Personally and from a public health standpoint, I support measures that protect people from unwanted exposure to secondhand smoke, and reduce smoking-related litter on our beaches,” said Brigantine Councilman Rick DeLucry. “But as we recognized last year when debating a similar partial ban on our beaches, this new law will likely present some challenging enforcement issues.”

“I echo Mr. DeLucry’s comment,” said Brigantine Police Chief Ray Cox in an email. “Enforcement would be extremely challenging to say the least.”

“It’s crazy,” concurred local realtor Joe Musumeci when contacted by phone. “How are they going to enforce it? The lifeguards can’t do it. They are overloaded as it is.”

“One benefit would be a reduction of litter on our beautiful pristine beaches and in our ocean,” said Councilwoman Lisa McClay in an email. “Second-hand smoke in public places travels and not fair for others to have to smell it. In addition, cigarette butts are harmful when they are ingested by birds and sea mammals.”

McClay added, “My main concern would be the enforcement of the ban and the hefty violation fees proposed.”

“I feel that smoking on the beaches should be permitted but controlled,” responded local realtor Linda Corbin. “People go the beach as a form of relaxation, to get away from it all. Smoking, whether it be cigars or cigarettes, is a form of relaxation for many people. To deny them of a simple pleasure is not fair.”

Corbin offered her own ideas on the subject.

“Perhaps we can designate certain beaches for smoking, others for non-smoking. Regardless, everyone should be conscious of others that do not smoke. There should be containers on these ‘smoking beaches’ where butts can be disposed of properly. Our ocean is Brigantine's greatest asset; we need to protect it from all types of litter. Our tourists are the second greatest asset and we need to insure that they can enjoy our beaches without this restriction.”

“When government interferes with the rights of an individual in what is clearly an open air environment, our public beaches, it could mean nothing but trouble for the business and tourism industry for our Island,” said Chamber of Commerce Michael Brennan in an email. “The amount of pollution in our air from manufacturing, motor vehicles and numerous other sources, smoking hardly compares to the impact they have on global warming and harm to air quality on local beaches. Let’s take a look at the Revel, the first nonsmoking casino in Atlantic City. What happened there? They excluded a segment of gamblers and were forced to reverse their stance as they are now a smoking casino.

“The government can grandstand all they want to champion small interest when they should be doing their duties, which would be being fiscally responsible, attracting new jobs, and supporting tourism in New Jersey. Discarding cigarette butts in the sand is littering and littering is already covered in our local code. I would like to remind people who smoke and all beach goers, that responsible disposal of their waste will have a positive impact on our marine habitat and assist our City in keeping our pristine beaches clean.”

<http://www.shorennews.com/snt/news/index.php/brigantine/news/50950-nj-assembly-committee-passes-beach-no-smoking-law.html>