

# Waldwick passes smoking ban in parks, rec areas

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**WALDWICK** — The Borough Council passed an ordinance banning smoking at recreational facilities, including parks, in spite of objections by three men who asked for a section of the park to smoke at their regular session Dec. 27.

Led by Councilwoman Anita Bozzo, the council unanimously approved the ban, which includes the [Waldwick Municipal Pool](#), according to the ordinance.

Three men objected to a complete ban on smoking, asking for a section of the park where they could "smoke a cigar and b.s."

The council decided to vote on the ordinance in spite of the objections. The ban will take effect in January.

Bozzo, who suffers from asthma, said recreation facilities are for children and they should not be forced to be around smoke, even if it is outdoors. "I do not see that smoking serves any purpose," said Bozzo.

Resident Pat Stevens asked the council to reconsider the ban. "All we do is stand around for about a half hour or 45 minutes," said Stevens. "We have our cigars, we b.s. and then we leave."

Stevens said if the council were concerned about pollution, they would ban fireplaces and charcoal pits in public areas, as well.

"This has nothing to do with charcoal pits," said Mayor Thomas Giordano. "We're talking about smoking."

Resident Jim Kearns asked how the borough planned on enforcing the smoking ban when they "don't enforce laws that exist now." "We never annoy anyone," said Kearns. "We pay our taxes like everyone else, why are you only discriminating against us?"

Councilman Don Sciolaro said he thought about creating an area for smokers within the language of the ordinance. "I'm leery of that," he said. "Smoke travels beyond where you're smoking."

Another resident, Bob Rose, said that while he does not smoke, he did not think the men were asking for much.

"When these gentlemen are in the park, there's nobody there," said Rose. "They should not be penalized because they want to meet in the park during the day when kids are in school. It was freezing out today, there was no one there. They had a smoke and left. They're entitled to that little bit of time in a public place."

Bozzo raised the smoking ban idea four months ago. While the proposed law prohibits smoking at recreational facilities within the borough, it fails to detail enforcement or penalties, although Borough Administrator Gary Kratz said in order to be convicted of the offense, it would have to be witnessed by law enforcement.

"We will enforce it equally as we enforce other ordinances," said Police Chief Mark Messner previously.

According to the borough's code, violating an ordinance with unspecified penalties could result in "imprisonment in the county jail for any term not exceeding 90 days; or by a fine of not more than \$2,000, or by a period of community service not exceeding 90 days."

"I know the people of Waldwick," Bozzo said previously. "If someone walks up to someone smoking where they shouldn't be, and politely asks them to put it out, I'm sure the person will comply with no incident."

Carol Shepard, Waldwick's public health nurse, previously said she was "delighted at anything that curtails smoking," but did not comment during the public hearing at the meeting.

According to Karen Blumenfeld, executive director of Global Advisors on Smokefree Policy (GASP), 13 towns in Bergen County require 100 percent smoke-free parks. Mahwah, Franklin Lakes and Oakland all prohibit smoking at public recreation facilities, while Wyckoff relies on the state ban of smoking in any public facility. Ramsey has a smoking ban on the books that applies only to municipal buildings.

Blumenfeld pledged help to Waldwick with free metal "100 percent smoke free" park signs once the ban goes into effect.

New Jersey enacted a no-smoking law on April 15, 2006. The New Jersey Smoke-Free Air Act bans smoking statewide in all enclosed workplaces, including bars and restaurants, strip clubs, hospitals, psychiatric facilities, as well as outside portions of school grounds. The act exempts city parks, cigar bars, tobacco retail stores, tobacco manufacturing facilities, private residences and private automobiles, off-track betting parlors, and designated hotel/motel smoking rooms.

Under the act, local governments may regulate smoking more strictly. Violating the act can result in a fine of \$250 and \$1,000.

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