

New Jersey considers restrictions on shore smoking

By WAYNE PARRY - *Associated Press*

Posted: Sunday, July 27, 2014 9:03 am | Updated: 5:01 pm, Sun Jul 27, 2014.

MANASQUAN, N.J. (AP) — Jane Horton hates when someone near her on a beach lights up a cigarette.

"It makes me gag," the Wall Township resident said from a sand chair on the Manasquan beach last week. "Even if they're not right on top of you, the wind still carries it into your face."

But Kristen Debell of Wayne says there's plenty of room for smokers on the sand.

"I'm mindful of who I'm around, but it gets burdensome to have to walk to a special section, especially when you have kids," she said. "It's nuts to ban smoking outside. Where do you draw the line?"

New Jersey is grappling with that very question, trying to determine whether smoking should be allowed on public beaches. The state legislature had considered a total ban on smoking at all public beaches in New Jersey but eventually added a provision allowing towns to set aside 15 percent of their beaches as smoking areas.

That has left the debate smoldering as Gov. Chris Christie ponders whether to sign the bill.

Several shore towns have already completely banned smoking — something the bill permits. Belmar, Seaside Heights, Long Branch, Ocean Grove and Spring Lake are among those with bans. In Cape May County, Sunset Beach in Lower Township and Upper Township prohibit smoking.

Several boardwalks also ban smoking, including Ocean City, Belmar, Spring Lake, Seaside Heights and part of Seaside Park.

Around the country, more than 200 coastal communities have enacted total smoking bans on their sands, with many more passing partial bans, according to the American Nonsmokers' Rights Foundation. These include county-run beaches in Los Angeles, New York and Hawaii, state beaches in Maine and some local beaches in California, Connecticut, Delaware, Georgia, Massachusetts, New Hampshire, North and South Carolina and Rhode Island, among others.

Florida, however, has a law preventing local towns from banning smoking on their beaches. A move to repeal it fizzled last year.

New Jersey's law is designed to reduce exposure to secondhand smoke, litter and fire risks. Violators would be fined at least \$250 for a first offense, increasing to up to

\$1,000 for repeated violations.

The bill doesn't clearly spell out who would enforce the law. It says: "The person having control of a ... public park or beach shall order any person smoking in violation of this act to comply with the provisions of this act." Left unclear is whether the bill expects lifeguards, police officers or someone else to enforce the law.

It would take effect 180 days after the bill is signed, meaning it would not apply to this summer.

Karen Blumenfeld, executive director of Global Advisors on Smokefree Policy, said almost half of New Jersey's municipalities restrict smoking in outdoor recreational areas.

"With 85 percent of adults in New Jersey not smoking, and 70 percent of those who smoke want to quit, it's common sense to have 100 percent smoke-free beaches," she said.

Anna Ksenzenko, of Princeton, a former smoker, called for a common-sense solution that respects the rights of everyone.

"It's not great for you, but it's not a crime," she said. "It's not pleasant to be around cigarette smoke on the beach, but a person shouldn't feel excluded from society if they smoke."

http://www.burlingtoncountytimes.com/news/state/nj/new-jersey-considers-restrictions-on-shore-smoking/article_cd1d8bef-cd9c-55ac-b4c0-9c79ff75806d.html