

Smoking ban now includes Montclair's county parks

October 18, 2015, 6:55 PM

BY NICHOLAS KATZBAN, katzban@northjersey.com

STAFF WRITER | THE MONTCLAIR TIMES

The Essex County Board of Chosen Freeholders unanimously passed an ordinance to ban smoking in all county parks last Wednesday, Oct. 7.

The ban comes 18 months after Montclair put its own ordinance in place prohibiting smoking in the town's own municipal parks. However, the municipal ordinance did not extend to public green spaces in Montclair that are controlled by Essex County.

Thanks to the Freeholders' ordinance, the town parks are joined by Anderson Park, Brookdale Park, Glenfield Park, Mill's Reservation and the Presby Memorial Iris Gardens as spaces where smoking is prohibited.

The ordinance states a first offense will result in a written warning. A smoker's second offense will result in a \$100 fine, and a third offense will result in a \$200 fine.

The ban and its subsequent penalties go into effect on Saturday, Oct 17.

"Some of the people who came to speak on behalf of the ordinance were Montclair State [University] students, Montclair residents," said Freeholder Vice President and the ordinance's sponsor Brendan Gill, a Montclair resident. "There's definitely a local component to it for sure."

Gill previously worked as Chief of Staff to the late Sen. Frank Lautenberg of New Jersey. Lautenberg, a former resident of Montclair, was a consistent advocate of smoking prohibition.

"The reason you can't smoke on an airplane today is because of the legislation he passed," Gill said. "I want to highlight that this is an extension of the work he did to protect the environment, and is part of his legacy."

Freeholder Rufus Johnson, of Newark, thinks the ordinance was too broad, and required more specific wording.

"I understand the greater good of it, the health reasons," said Johnson, who was absent for the vote. "I can relate to banning smoking in the child areas of parks, but this is open space, open air."

Johnson believes by banning smoking in public spaces, the county will force residents to smoke in the enclosed space of their homes, where the smoke does more harm to their children.

"Where else can they do it?" asked Johnson.

"I don't think we can enforce it," noted Johnson, who thinks police officers will not feel like processing the necessary paper work for a smoking summons, but "will use it to their advantage, for the wrong reasons, to grab on to somebody."

"I'm not totally against [curbing smoking]," he said. "But we should keep it to the kid's areas, so many feet around them. Otherwise where can they do it? Next they'll be talking about banning it on the sidewalks."

"I understand both sides of it," Johnson said, "I was a smoker for 20 years. Do you know how many times I wanted to quit, or tried to quit? So, I get it."

Second Ward Township Councilwoman Robin Schlager, whose ward includes Anderson Park, noted smoking bans are not just to the benefit of humans.

"One time I was walking my dog, and she had picked up a cigarette butt," said Schlager. "She was chewing on it."

<http://www.northjersey.com/news/health-news/smoking-ban-now-includes-montclair-s-county-parks-1.1432617>