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Seaside Park to enforce state's most stringent ban

Borough letting smokers know beaches, boardwalk off limits

By Chelsea Michels | Staff Writer

Borough officials are intent on letting smokers know the beaches and boardwalk here are not ashtrays.

The Borough Council adopted an ordinance on April 28 that gives Seaside Park the strictest anti-smoking regulations in the state, according to Global Advisors Smokefree Policy, an anti-smoking advocacy group. With the implementation of the law, smokers cannot light up a cigarette at any public recreation area, which include the 1.5-mile beach, boardwalk, fishing and crabbing piers, and parks.

Bob Martucci, the borough administrator, said an original ordinance restricted smoking on public piers, so the new law is an amendment to include all public recreation areas.

"The most important thing is health," he said.

Signs have been ordered, and the restriction will go into effect once they are posted, which officials believe will be before Memorial Day.

"The second thing is we rake our beach every day," Martucci said, "and you can't imagine the amount of butts and filters that end up in the water or wash into the bay. It's a health issue and it's a water issue. We no longer want that type of product anymore, on our beaches or in our lungs."

Karen Blumenfeld, executive director of the Summit-based GASP, said Seaside Park's 100-percent comprehensive smoke-free law is now the strictest local law in the state, surpassing nearby Belmar.

"Research shows that concentrated levels of smoke outdoors can be just as hazardous as secondhand smoke indoors," she said, citing the Institute of Medicine of the National Academies and a Stanford University study published in the Journal of the Air and Waste Management Association.

"If you are near a group of people who are smoking and the concentration is high, that level could be just as high as inside a smoky bar."

Although the measure likely will anger some smokers, people visiting the beach recently applauded the new law.

"I'm perfectly happy with it. It's an area where kids are playing," borough resident and smoker Tara DeLorme, 32, said, as her daughters Emily, 5, and Fallon, 3, played in the sand on a recent weekday. "I don't smoke around my children in the car or in the house. If I can do it, anyone can."

DeLorme, who is trying to quit smoking, said she does not think this strict law will hurt beach business.

"Everybody said the same thing about restaurants and bars. People are going to come to the beach anyway," she said.

Martucci said borough officials had talked about expanding the anti-smoking ordinance ever since they adopted one for the piers several years ago.

Martucci said he was not aware the borough's ordinance was ground-breaking, and did not expect to lose any visitors or beachgoers with the stricter ordinance.

Cindy Zipf, executive director of Clean Ocean Action, said the anti-smoking ordinance was a very significant action in terms of protection the beaches and marine life.

"It's one of the things municipalities can do to really step up and improve the look of their communities, the environmental health for people who come to their beaches and parks, as well as the marine environment," she said. "It's one of those wonderful, everybody wins, solutions. Contrary to some beliefs, the public space is not an ashtray."

Zipf also said Clean Ocean Action supports a law pending in the Legislature that would banish smoking in all public recreation places.

In January 2010, state Sen. Barbara Buono, D-Middlesex, introduced a bill that would prohibit smoking at all public parks and beaches. The bill was referred to Senate Health, Human Services and Senior Citizens Committee, and is pending in the Legislature. Buono could not be reached for comment.

On a recent day at the beach in Seaside Park, four lifeguards from Island Beach State Park were checking out the waves, and said they all would favor an anti-smoking policy at their beach.

Sean Hirtes, 19, and Zach Saunders, Bryan Penczuk, and Steve Rossi, all 20 and from Toms River, said smoking causes a variety of problems, from beachgoer complaints to litter.

"People think of the beach as one big ashtray, and even on the lifeguard stand you can smell it. It bothers me," said Penczuk.

The men said they are often asked by beachgoers to have smokers put out their cigarettes, which takes their attention away from the water.

"We have more important duties than (monitoring) someone smoking," said Hirtes. "Ban it totally, and then there's no problem."

Blumenfeld, from GASP, said Seaside Park is following a trend she has seen with towns recognizing the need to protect people from secondhand smoking outdoors, mainly in public recreation spots.

Blumenfeld said the New York City Council in February approved a bill to ban smoking in 1,700 city parks and along 14 miles of city beaches. She said the ban is supposed to take effect May 23.

"The communities in New Jersey have been passing outdoor smoke ordinances for some time, but there's definitely been an uptick and an interest since people are more acclimated to no smoking indoors," she said, adding more than 100 communities in the state now have 100-percent smoke-free outdoor recreation areas.

In response to whether bans are needed in outdoor places, Blumenfeld said the hazards of secondhand smoke can still continue in open spaces.

"Even considering wind-flow, the experts say outdoors you need to be at least 23 feet away to be protected from secondhand smoke," she said. "(Banning smoking) has a positive impact on the environment as well, which is affected by the toxins in cigarette butts and the tobacco. By eliminating smoking on the beach, it helps to reduce the quantity of tobacco waste."

While taking a day trip in Seaside Park from Levittown, Pa., Diana and Ken Voorhees strolled on the borough's boardwalk.

Diana, a smoker, said she was opposed to the anti-smoking ordinance, but the couple could see the point in preventing litter.

"If I'm outdoors, I don't see what it matters," said Diana, 47. "I don't stand near people and blow smoke in their face. I think it's ridiculous."

Ken, 49, said he grew up around smokers and the secondhand smoke does not bother him.

"If you're gonna come to the Shore, you're gonna come to the Shore," he said.

In Monmouth County, Belmar officials had recently celebrated the 10th anniversary of their anti-smoking ordinance, which banned smoking on the beaches and boardwalk, with the exception of several small designated areas.

Mayor Matthew J. Doherty said litter was the catalyst for the law 10 years ago, and borough officials have noticed a reduction in litter over the past decade.

William G. Dressel Jr., executive director of the New Jersey State League of Municipalities, said the league has seen anti-smoking ordinances adopted in parks, open areas, eating establishments, and other public places.

In Seaside Park, anyone violating the ordinance pays a fine of no more than \$50 on the first offense, or community service no more than two days.

That escalates to \$100 or five days on the second offense, and \$200 or 10 days of community service

on the third offense.

In Belmar, anyone smoking outside of the designated areas will be issued a summons.

According to the borough website, the minimum fine is \$25; the maximum fine is \$250.

Additional Facts

BY THE NUMBERS:

In New Jersey, 112 municipalities and 8 counties have passed 140 outdoor bans eliminating or restricting smoking near government buildings, in parks, playgrounds, recreational fields, swimming pools and beaches.

2 counties and 93 municipalities passed 105 ordinances to regulate the use and discarding of tobacco products in parks and recreation areas.

17 municipalities restrict smoking at ocean, bay, and lake beaches. The 17 include Belmar and Seaside Heights.

2 counties and 1 municipality have banned smoking at zoos to protect the patrons, vegetation, and animals. These include Turtle Back Zoo in Essex County, Cape May County Zoo, and Cohanzick Zoo, Bridgeton.

Six Flags Amusement Park was made smoke free by an ordinance prohibiting smoking on the premises of any amusement park located in the Township of Jackson.

Source: <http://www.njgasp.org>
