

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA STATE LEGISLATURE TO SUPPORT SENATE BILL 562, AMENDING SECTION 386.209, FLORIDA STATUTES, AUTHORIZING MUNICIPALITIES AND COUNTIES TO REGULATE SMOKING WITHIN THE BOUNDARIES OF CERTAIN PUBLIC PARKS AND DESIGNATED FACILITIES; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, scientific studies, including studies by the Surgeon General of the United States and studies commissioned and assessed by the U. S. Environmental Protection Agency have shown that exposure to breathing second-hand smoke is a significant health hazard to non-smokers; particularly to children, older persons, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and

**WHEREAS**, air pollution caused by smoking is an offensive annoyance and irritant, and smoking results in serious and significant physical harm to non-smokers even in outdoor public places; and

**WHEREAS**, the City of Pompano Beach is the owner of the Pompano Beach public beach, an outdoor public facility; and

**WHEREAS**, in 2018 the Florida Senate convened the Committee on Community Affairs whose mission included addressing regulation of smoking preempted to state; and

**WHEREAS**, municipalities and counties may not restrict smoking within the boundaries of any public parks they own; and

**WHEREAS**, the City Commission desires to support Senate Bill 562 in the 2018 Legislative Session; now, therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

**SECTION 2.** The City Commission of the City of Pompano Beach hereby supports and respectfully requests the adoption of legislation in the 2018 Legislature Session, specifically Senate Bill 562 , which would amend Section 386.209, Florida Statutes to allow municipalities to restrict smoking within the boundaries of any public park and facility they own, and encourages the Florida Legislature to adopt legislation to provide the necessary authorization and regulation therefore.

**SECTION 3.** The City Clerk is directed to distribute this Resolution to the Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Florida Association of Counties, the Florida City County Management Association, the Broward County League of Cities, and each of the municipalities within Broward County.

**SECTION 4.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

MEB:jmz  
1/30/18  
L:reso/2018-101