



## MEMORANDUM CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Sherilyn Lombos, City Manager

**DATE:** January 25, 2016

**SUBJECT:** Work Session for January 25, 2016

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**6:15 p.m. (30 min) – Outdoor Smoke & Tobacco Free City Spaces Policy Alternatives.** Staff will present information to Council regarding all of the public involvement on this issue and ask for direction on the specific components of an ordinance to be brought back for public testimony.

**6:45 p.m. (15 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the January 25<sup>th</sup> City Council meeting and brief the Council on issues of mutual interest.



# MEMORANDUM

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Richard Mueller, Parks and Recreation Manager  
Paul Hennon, Community Services Director

**DATE:** 01/25/2016

**SUBJECT:** Consideration of Policy Alternatives for Outdoor Smoke and Tobacco Free City Spaces Policy for Property Owned and/or Managed by the City

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### **ISSUE BEFORE THE COUNCIL:**

Council consideration of policy alternatives for adopting an Outdoor Smoke and Tobacco Free City Spaces Policy for property owned and/or managed by the City.

### **EXECUTIVE SUMMARY:**

On July 28, 2014 representatives of the Tualatin Together organization requested that the City Council restrict smoking and tobacco in the city. At the direction of Council, staff presented additional information about restricting smoking in parks and other properties owned and/or managed by the City at the Council work session on October 12, 2015. At that time Council directed staff to involve the public in the conversation and return the results at a future Council meeting.

Public involvement took place during November and into December through a variety of methods including the City website, Facebook, My Sidewalk, news media, City newsletter, flyers and employee outreach. Facebook received 400 likes, comments and shares. Staff involved five City advisory committees and seven community organizations or agencies. The public involvement responses and input can be found in Attachment A.

There is an established trend among federal, state, and municipal agencies and jurisdictions, as well as private business and nonprofit organizations, to regulate smoking and tobacco use in outdoor spaces to promote public health and wellness, reduce operating costs, fire safety, community image and perception, environmental harm and consistency of policy.

Support for this kind of policy can be found in the City Council 2020 Vision, Community Services Department mission and goals, Tualatin Tomorrow goals, Public Health vision, mission and goals, and health care provider initiatives.

Staff is seeking direction from Council on the following policy alternatives in order to prepare a

draft ordinance:

Which products should the Policy include?

- Smoke Free  
Burning or Lighted (cigarettes, cigars & pipes)  
Inhalant Delivery Systems (vaping & e-cigarettes)
- Tobacco Free  
Smoking  
Chewing

Verify Not Included

- Medical inhalers
- Medical patches

Which locations should be included?

- System-wide (all City owned and/or managed property)
- Parklands (parks, natural areas, trails, greenways)
- Plazas (library)
- Tualatin Commons
- Core Area Parking Lots (green, blue, white, red, yellow)
- Departments (police, operations)
- Sidewalks adjacent to City Property

Enforcement

Enforcement and penalties for smoke and tobacco free outdoor City spaces are intended to apply to consumption and use only, not possession. The proposed intent is to treat a violation of this policy like other park rule violations such as littering and failure to clean up dog waste through the following progression:

- Voluntary compliance/enforcement through social influence (self enforcing)
- Warning
- Civil exclusion
- Civil infraction

Next Steps

The next steps to implement such a policy are:

- Preparation of a draft ordinance for Council consideration and direction.
- Council adoption of an ordinance.
- Implementation over a designated period of time to allow for public information and notification.

Financial Implications

If Council chooses to move forward with this policy, the financial implications would include the cost of updating signage for parklands and signage on other property owned and/or managed by the City projected at approximately \$7,000, with public information materials to be absorbed in current budget allocations.

**RECOMMENDATION:**

Staff recommends Council review, consider and provide direction for guiding which policy alternatives to include or not include in an Outdoor Smoke and Tobacco Free City Spaces Ordinance for property owned and/or managed by the City.

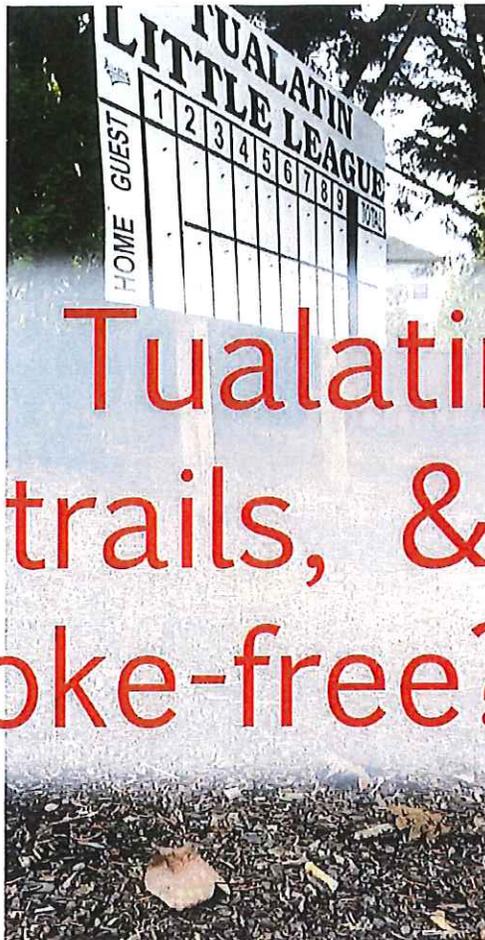
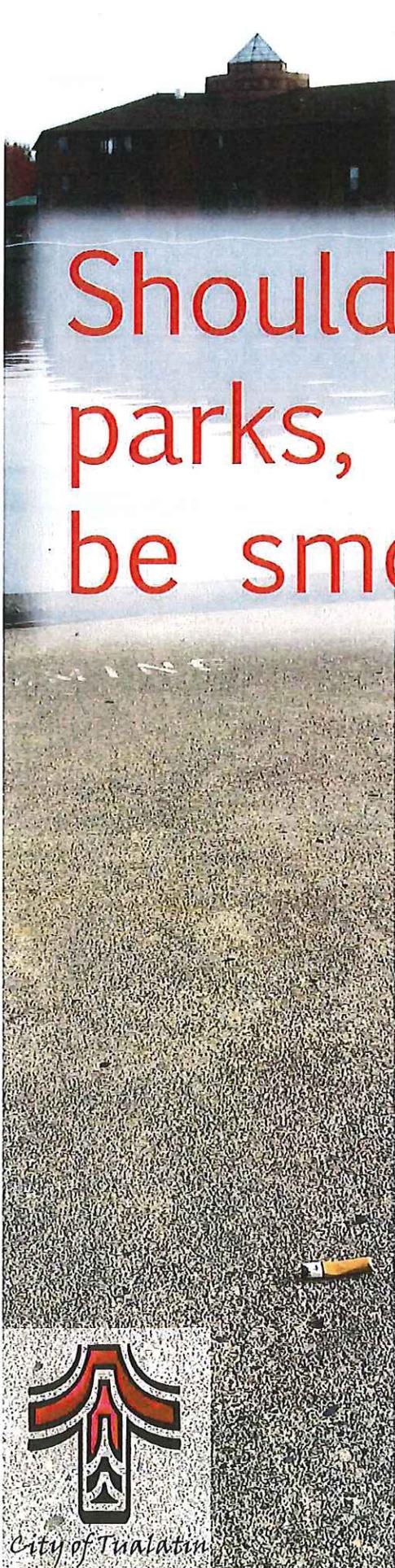
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**Attachments:**    Summary of Public Information and Involvement  
                          PowerPoint Presentation

Outdoor Smoke and Tobacco Free City Space Policy  
for property owned and/or managed by the City

## Summary of Public Information and Involvement

1. Informational flyer seeking input
2. City Advisory Committee's recommendations and support
3. Washington County Department of Health & Human Services letter
4. Tualatin Together letter
5. Facebook statistics & responses
6. My Sidewalk/Tualatin Townhall comments
7. Public responses received by email, walk-ins, phone & letter
8. Employee responses
9. City newsletter
10. Tualatin Life news article
11. The Times news articles, comments & reader's letter



# Should Tualatin's parks, trails, & plazas be smoke-free?

Tualatin City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces. The City of Tualatin wants your input:

What should be restricted?

- tobacco (smoke and chew)
- inhalant delivery systems (vaping)

Which locations should be included?

- Tualatin Commons
- Library plaza
- all parks and trails
- parking lots
- all City-owned or managed properties

Join the discussion: [TualatinOregon.gov](http://TualatinOregon.gov)  
 Comments accepted through November

Questions? Contact Rich Mueller, Parks & Recreation Manager, at [rmueller@ci.tualatin.or.us](mailto:rmueller@ci.tualatin.or.us) or 503.691.3064



City of Tualatin

## **Summary of Tualatin's Advisory Committee's input on an Outdoor Smoke & Tobacco Free City Spaces Policy for property owned and/or managed by the City**

### **Core Area Parking District**

There was a consensus to support the implementation of the ordinance regarding an Outdoor Smoke and Tobacco Free City Spaces Policy for property owned and/or managed by the City, including right of ways.

October 21, 2015

### **Tualatin Library Advisory Committee**

There was consensus among committee members to recommend Council adopt such a policy prohibiting all tobacco and inhalant delivery systems at the Library plaza, parks, trails, and greenways.

November 3, 2015

### **Tualatin Parks Advisory Committee**

Recommends the City Council adopt a policy restricting all types of smoking and tobacco use in outdoor city property owned or managed by the City, including adjacent right of ways.

November 10, 2015

### **Tualatin Arts Advisory Committee**

By consensus, the Committee supports the Council enacting an ordinance to restrict smoking and tobacco products, including chewing and vaping, in park lands and other property owned or managed by the City and adjoining rights of way, with the exception that smoking be allowed inside cars parked in parking lots with the windows up.

November 17, 2015

### **Tualatin Planning Commission**

The Commission was in favor of the implementation of the Tobacco Free City Spaces Policy to restrict smoking and tobacco use on property owned or managed by the City.

November 19, 2015



## WASHINGTON COUNTY OREGON

November 20, 2015

City of Tualatin  
18880 SW Martinazzi Ave  
Tualatin, OR 97062

Dear Tualatin City Council:

On behalf of Washington County Department of Health and Human Services, I would like to commend the City of Tualatin in its ongoing efforts to promote healthy lifestyles and environments, and offer our support in your consideration of adopting a smoke and tobacco-free ordinance for City properties. To compliment wellness initiatives and protect the health of the community, the Centers for Disease Control and Prevention recommends adopting smoke and tobacco-free policies to safeguard youth from exposure to tobacco and nicotine products.

Tobacco use is expensive and remains the #1 cause of preventable death worldwide, nationwide and in Oregon. In Washington County alone, 57,000 adults are still smoking cigarettes. The U.S. Surgeon General states "there is no safe level of secondhand smoke exposure." This includes both indoor and outdoor areas. In addition to conventional cigarettes, electronic inhalant delivery systems (also known as e-cigs and vape pens) have not been proven safe. According to the Oregon Health Authority, preliminary testing has identified chemicals known to cause cancer and birth defects in both first and secondhand vapor emitted from these delivery systems.

The City of Tualatin took great leadership in adopting City Code Chapter 06-07: Tobacco Use in Public Places. By building on this foundation and adopting a comprehensive smoke and tobacco-free ordinance for all City properties (inclusive of park and recreation areas), Tualatin will be providing consistency and protection for the community from the dangers of tobacco use and nicotine addiction.

Local jurisdictions across Oregon and in Washington County are adopting smoke and tobacco free policies, aligning efforts with health divisions and agencies across the nation to reduce the impact of tobacco use and nicotine addiction in our communities. Washington County has partnered with community coalitions, agencies and local jurisdictions to assist with these efforts. We have assisted other cities such as Forest Grove, Hillsboro and North Plains in adopting comprehensive ordinances that prohibit smoking, tobacco use and electronic inhalant delivery systems both indoors and outdoors, on all city properties. Policies like these protect people from secondhand smoke exposure, help people quit tobacco and nicotine products, and help prevent youth from starting.

We would like to offer our support and technical assistance to the City of Tualatin in adopting a comprehensive smoke and tobacco-free ordinance for all City properties and events to further improve the health of the community.

Sincerely,

A handwritten signature in blue ink that reads "Marni Kuyl".

Marni Kuyl, RN, MS  
Robert Wood Johnson Executive Nurse Fellow  
Director of Health and Human Services



**Tualatin Together**  
COMMUNITY ENGAGEMENT • COMMUNITY IMPROVEMENT • COMMUNITY PROTECTION

REC'D  
CITY OF TUALATIN  
OCT 09 2015

BOARD OF COMMUNITY DEVELOPMENT  
PLANNING COMMISSION  
COMMISSION ON ENVIRONMENTAL QUALITY

September 30, 2015

Tualatin City Council  
c/o City of Tualatin  
18880 SW Martinazzi Avenue  
Tualatin, OR 97062

Dear Tualatin City Council:

On behalf of Tualatin Together, we would like to show our support for an ordinance that would support a community environment that discourages and reduces substance abuse through adopting a smoke and tobacco-free policy for all City properties (including outdoor venues). Strengthening local tobacco ordinances is instrumental to the efforts of reducing youth access to tobacco products. Now is the opportune time to increase our efforts to protect the health of everyone that lives, works, and plays in our community.

Scientific evidence has shown that exposure to secondhand smoke has no risk-free level. The U.S. Surgeon General determined that secondhand smoke causes premature death and disease in both non-smoking adults and children<sup>i</sup>. Secondhand smoke exposure in adults has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer<sup>1,ii</sup>. Secondhand smoke exposure in children can cause ear infections, asthma attacks and other respiratory symptoms<sup>1,2</sup>. The smokeless tobacco waste and byproducts can also expose others to carcinogenic chemicals. In addition, environmental impacts of tobacco are numerous. Studies have shown that the most prominent litter items found are cigarettes and cigarette butts, which do not biodegrade and are toxic.<sup>iii</sup> Both young children and pets can become ill or potentially die from ingesting cigarette butts<sup>iv</sup>.

Emerging issues causing concern are the rapid rise of youth using hookah and electronic smoking devices<sup>v</sup>. Many youth falsely think that hookah tobacco is less dangerous because it is bubbled through water and very often contain flavors such as: apple blitz, latte, s'mores, and raspberry cheesecake, to name a few. In fact, hookah tobacco contains nicotine and the same cancer-causing agents found in other tobacco products which can lead to respiratory disease, heart disease, and various types of cancer<sup>vi</sup>. To put it in perspective, a typical one-hour hookah smoking session is the equivalent to inhaling the smoke of 100-200 cigarettes (5-10 packs)<sup>6</sup>.

Electronic Inhalant delivery systems (also known as vaporizers, vape pens or e-cigarettes) also greatly appeal to youth. They have enough nicotine to be addictive and are available in a variety of flavors. Studies have found the existence of toxic chemicals in the vapor, and with a lack of adequate labeling and design flaws, significant concerns about health and quality control issues are raised.<sup>vii, viii</sup> Until the safety of electronic inhalant delivery systems has been further evaluated scientifically by independent research, the devices should be considered as harmful to health as conventional cigarettes.

As an organization founded on and who depends on collaborating with our partners to educate and reduce youth substance abuse in our community, we look forward to watching the Tualatin City Council's leadership in adopting a comprehensive smoke and tobacco policy for all City properties, fostering a culture of health, respect for others, and the environment.

Sincerely,

Cindy Hillier  
Executive Director, Tualatin Together  
5505 SW Borland Road  
Tualatin, OR 97062

<sup>2</sup> U.S. Department of Health and Human Services. *A Report of the Surgeon General: How Tobacco Smoke Causes Disease: What It Means to You*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010

<sup>3</sup> Novotny TE, Lum K, Smith E, Wang V, Barnes R. *Cigarettes Butts and the Case for an Environmental Policy on Hazardous Cigarette Waste*. International Journal of Environmental Research and Public Health. 2009;6(5):1691-1705. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2697937/>

<sup>4</sup> Novotny TE, Hardin SN, Hovda LR, Novotny DJ, McLean MK, Khan S. *Tobacco and cigarette butt consumption in humans and animals*. Tobacco Control. 2011;20(Suppl\_1):i17-i20. doi:10.1136/tc.2011.043489. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3088460/>

<sup>5</sup> Centers for Disease Control and Prevention. *Tobacco Use Among Middle and High School Students—United States, 2011–2014*. Morbidity and Mortality Weekly Report, 2015;64(14):381–5

<sup>6</sup> World Health Organization Study Group on Tobacco Product Regulation. *Advisory Note: Waterpipe Tobacco Smoking: Health Effects, Research Needs, and Recommended Action by Regulators*, 2005, [http://www.who.int/tobacco/global\\_interaction/tobreg/Waterpipe%20recommendation\\_Final.pdf](http://www.who.int/tobacco/global_interaction/tobreg/Waterpipe%20recommendation_Final.pdf)

<sup>7</sup> U.S. Department of Health and Human Services, U.S. Food and Drug Administration. *Evaluation of E-Cigarettes*, 2009, <http://www.fda.gov/downloads/Drugs/ScienceResearch/UCM173250.pdf>

<sup>8</sup> Anna Trichounian & Prue Talbot. *Electronic nicotine delivery systems: Is there a need for regulation?* Tobacco Control 2011, [www.tobaccocontrol.bmj.com](http://www.tobaccocontrol.bmj.com)

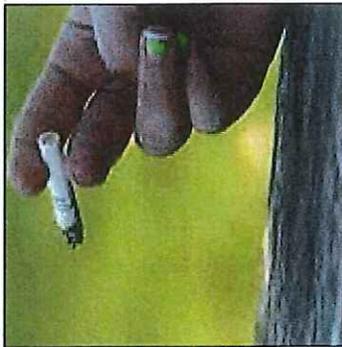
Signed also by Tualatin Together Coalition Members:

Andy Cantrell, Sr. Program Educator, Washington County HHS  
Victor L. Villanar, Program Educator, Public Health, Washington County HHS  
Guy Chen, Program Coordinator, Public Health, Washington County HHS  
Candice Kelly, Tualatin Resident  
Angela R. Pettit, Community Representative, Board of Directors  
Kimi S. Demarachi, Parent Educator / Family Coach, Tualatin Resident  
Maki Lei Kato, Healthcare, Emergency Room RN, Tualatin Resident  
Jane Crowell, RPh Healthcare Board of Directors Tualatin Resident  
Jovan Guzman, Community Representative, TT Board Member  
Alvise Hoque, Tualatin Together  
Susan M. Wise, Treasurer Tualatin Together, TT Board Member  
Mark Began, Pastor of Families, Rolling Hills Community Church Board President



**City of Tualatin - Government** shared a link.

Published by Sidewalk [?] · October 29 · Edited ·



### Should Tualatin's parks, trails, and plazas be smoke-free?

Tualatin's City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces. The City wants your input on what should be...

MYSIDEWALK.COM

141 people reached

Boost Post

4 Likes 1 Comment

Like Comment Share

Annie Bartelamia, James Gill and 2 others like this.

Chronological



**Marty Nelson** Maybe just the commons. At concerts, we are in such close proximity there is no way to avoid smokers.

Like · Reply · Message · October 29 at 3:55pm



Write a comment...



**141** People Reached

**5** Likes, Comments & Shares

**4** Likes **4** On Post **0** On Shares

**1** Comments **1** On Post **0** On Shares

**0** Shares **0** On Post **0** On Shares

**8** Post Clicks

**0** Photo Views **2** Link Clicks **6** Other Clicks

**NEGATIVE FEEDBACK**

**0** Hide Post **0** Hide All Posts

**0** Report as Spam **0** Unlike Page

### Post Details

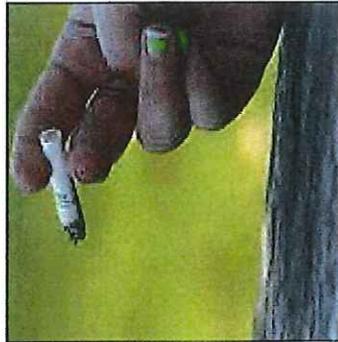
Reported stats may be delayed from what appears on posts X



**City of Tualatin - Government**

Published by Sidewalk [?] · October 30 at 8:57am · 🌐

We have updated this question to add more options:



**Should all City-owned or managed property be smoke-free and tobacco-free?**

Tualatin City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces....

[MYSIDEWALK.COM](http://MYSIDEWALK.COM)

117 people reached

Not Boosted

Like

Comment

Share

**117** People Reached

**0** Likes, Comments & Shares

**0** Likes **0** On Post **0** On Shares

**0** Comments **0** On Post **0** On Shares

**0** Shares **0** On Post **0** On Shares

**6** Post Clicks

**0** Photo Views **6** Link Clicks **0** Other Clicks

#### NEGATIVE FEEDBACK

**0** Hide Post **0** Hide All Posts

**0** Report as Spam **0** Unlike Page



**City of Tualatin - Government**

Published by Kelsey Lewis [?] · November 6 · 🌐

How do you feel about restricting smoking in Tualatin's downtown area public parking lots? <http://bit.ly/1WDhQbV>



937 people reached

12 Likes 6 Comments

👍 Like    💬 Comment    ➦ Share

Boost Post



**937** People Reached

**25** Likes, Comments & Shares

**17** Likes **12** On Post **5** On Shares

**7** Comments **6** On Post **1** On Shares

**1** Shares **0** On Post **1** On Shares

**131** Post Clicks **12** Link Clicks **108** Other Clicks

**NEGATIVE FEEDBACK**

**1** Hide Post    **0** Hide All Posts  
**0** Report as Spam    **0** Unlike Page

**City of Tualatin - Government**  
Published by Kelsey Lewis (2) · November 13 ·

Do you feel people have a right to smoke tobacco in City parks?



2,418 people reached

23 Likes 48 Comments

Like Comment Share

[View Results](#)

**2,418** People Reached

**198** Likes, Comments & Shares

**30** Likes **23** On Post **7** On Shares

**168** Comments **61** On Post **107** On Shares

**0** Shares **0** On Post **0** On Shares

**512** Post Clicks

**41** Photo Views **0** Link Clicks **471** Other Clicks

**NEGATIVE FEEDBACK**

**2** Hide Post **0** Hide All Posts

**0** Report as Spam **0** Unlike Page



**City of Tualatin - Government**

Published by Kelsey Lewis [?] · November 20 ·

Should vaping be restricted on outdoor City property?



497 people reached

4 Likes 8 Comments



**Not Boosted**

**497** People Reached

**17** Likes, Comments & Shares

**4** Likes | **4** On Post | **0** On Shares

**13** Comments | **12** On Post | **1** On Shares

**0** Shares | **0** On Post | **0** On Shares

**87** Post Clicks

**9** Photo Views | **0** Link Clicks | **78** Other Clicks

**NEGATIVE FEEDBACK**

**1** Hide Post | **0** Hide All Posts

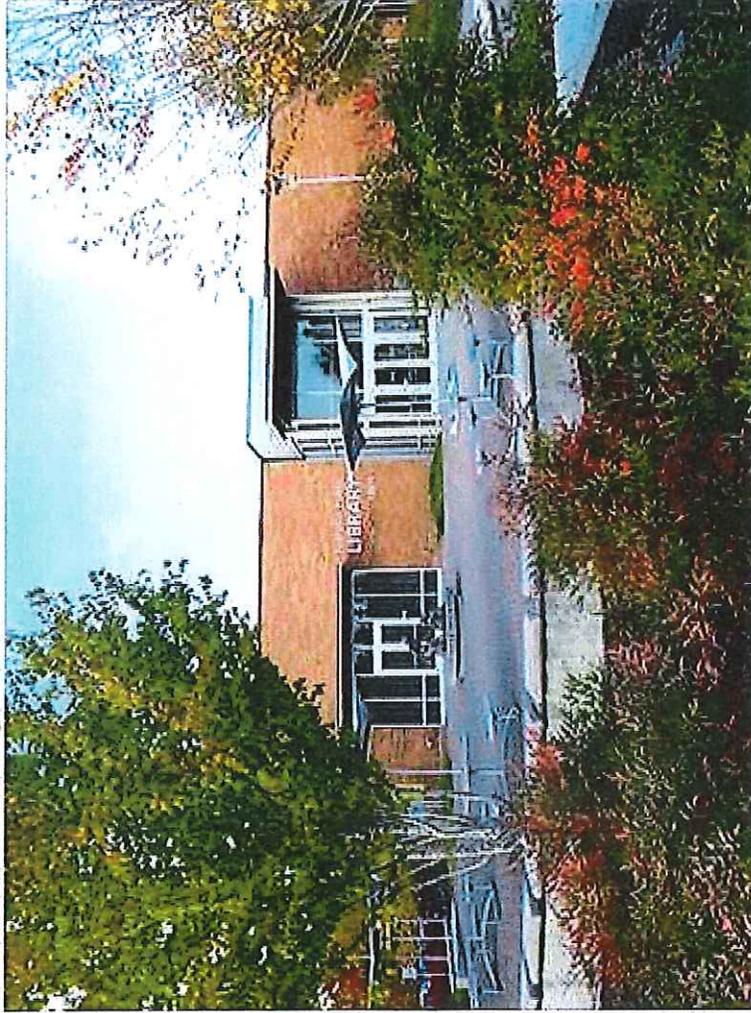
**0** Report as Spam | **0** Unlike Page



### City of Tualatin - Government

Published by Kelsey Lewis [?] - November 27 at 12:00pm - Edited [?] ·

## How do you feel about restricting smoking outside the Tualatin Public Library?



2,723 people reached

[View Results](#)

99 Likes 39 Comments 1 Share

[Like](#) [Comment](#) [Share](#)

**2,723** People Reached

**155** Likes, Comments & Shares

<b>100</b> Likes	<b>99</b> On Post	<b>1</b> On Shares
<b>49</b> Comments	<b>46</b> On Post	<b>3</b> On Shares
<b>6</b> Shares	<b>1</b> On Post	<b>5</b> On Shares

**309** Post Clicks

<b>33</b> Photo views	<b>0</b> Link Clicks	<b>276</b> Other Clicks
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#### NEGATIVE FEEDBACK

<b>2</b> Hide Post	<b>1</b> Hide All Posts
<b>0</b> Report as Spam	<b>1</b> Unlike Page

## Smoke and Tobacco Free City Spaces

### Facebook Comments



#### City of Tualatin - Government

##### Post #1

October 29 at 2:37 pm

**Should Tualatin's parks, trails, and plazas be smoke-free?**

**Marty Nelson Denis** Maybe just the commons. At concerts, we are in such close proximity there is no way to avoid smokers.

October 29 at 11:29 am

4 Likes

##### Post #2

October 30 at 8:57 am

**Should all City-owned or managed property be smoke-free and tobacco-free?**

No comments received

##### Post #3

November 6 at 1:44 pm

**How do you feel about restricting smoking in Tualatin's downtown area public parking lots?**

**David Knowles** A little overboard there dont ya think?

November 6 at 2:11 pm

1 Like

**John Lea** There gonna go till it's no longer excepted anywhere

November 6 at 2:32 pm

1 Like

**Jodi White Plank** I hate walking through people's disgusting smoke.

November 6 at 2:44 pm

4 Likes

**Sharon Ferland** Poor smokers...they are so annoying.

November 6 at 3:45 pm

**Gordon W. Hieronimus** stop limiting my liberties...

Attachment A

November 6 at 3:57 pm  
1 Like

**John Lea** All they really want to do is stop people from killing themselves, not to bad of an offer if you ask me  
November 6 at 8:33 pm · Edited

**Post #4**

November 13 at 3:30 pm

**Do you feel people have a right to smoke tobacco in City parks?**

**Julai Baldwin** People should not smoke where children play.  
November 13 at 3:44pm  
Likes 5

**Flick Chew** I totally agree. I know they should not be doing that because people at some not all the parks just throw the cigarette trash on floor or leave half smoked cigs on the ground where children can get their hands on.  
November 13 at 4:05pm  
Likes 3

**David Knowles** I think the government should stop taking our freedom away  
November 13 at 4:09pm  
Likes 5

**Replies 6**

**Annie Bartelamia** I agree, however when someone smokes in a public place you are affecting others which it is not ones right to do.  
November 13 at 4:15pm  
Like 2

**David Knowles** True, unfortunately there are smokers that dont care about others well being, when Im out in public I always find a spot where no one else is around and light up, and I dispose of my trash properly, if more smokers did that, I dont think it would be much of an issue.  
November 13 at 4:30pm  
Likes 2

**John Lea** I think parks are not a place to smoke. To many people with to many kids. Although, not to sure why non smokers get to choose when and were people that smoke can smoke. How about if you don't smoke, you can go to a non smoking park  
November 13 at 5:25pm  
Like 1

**Skylar Morris** @David Knowles.. Do you own the park? Last time I checked, the CITY OF TUALATIN OWNS THE PARK... When you own something, you can do what you want with your property... What makes you special that you can walk onto others property and tell them what to do? Don't give me the tax crap either. Everyone pays

Attachment A

taxes to the city, so if the majority dont want smoking in the park, GUESS WHAT NO SMOKING IN THE PARK!

November 14 at 2:20pm

Like 1

**David Knowles** Dude Skylar Morris Im thinking some anger management classes might do you some good, I never brought up any ownership or any tax anything, I stated that when Im out in public I respect other people, nobody wants to breathe my smoke so I find areas AWAY...See More

November 14 at 4:24pm

**John Lea** Hey skylar, what makes you think the majority is non smokers?

November 14 at 4:27pm

**Ethan Lamb** I hate cigarettes but, yes. Cigarette smokers pay for the parks, too.

November 13 at 4:14pm

Likes 6

**Replies 2**

**Linda Close** I agree I think what bothers me is the smoke in my face. But then...smoke follows beauty!!

November 13 at 5:04pm · Edited

**Ethan Lamb** Litter is another issue but I agree with you. Cigarette butts should be considered garbage and fines issued to those who toss them to the ground.

November 13 at 11:25pm

**David Dunn** Is it a "right "? Shouldn't the question be, should they be allowed to.

November 13 at 4:16pm

**Edward J. Palumbo** They have that right, but they have the corresponding responsibility to properly dispose of their cigarette butts. The world is not an ashtray.

November 13 at 4:36pm

Like 1 ·

**Reply 1**

**Skylar Morris** They have no right. the city owns the park

November 14 at 2:21pm

**Jesse Keller** I'm a cigarette smoker and its our constitutional right to do so. Now that being said, cigarette smokers need to be mindful of where the smoke is going because children don't need that in their lungs and we need to be respectful of the people around us that don't smoke.

November 13 at 5:24pm

Likes 6 ·

**Replies 2**

**Tony Kilburn** There is no such thing as a constitutional "right to smoke," since the U.S. Constitution does not extend special protection to smokers.

Attachment A

Smoking is not a specially protected liberty right under the Due Process Clause of the Constitution. The fundament...See More  
November 14 at 9:51am

**Skylar Morris** Thank you Tony... Lol and Jesse Keller do you own the park? Last time I checked, City of Tualatin owns the park, and they can make there own rules.  
November 14 at 2:22pm

**Toni Carrasco** Do drugs in private. I don't want to breathe it when I walk in the same area.  
November 13 at 5:26pm  
Likes 3

**John Lea** What makes you so special toni?  
November 13 at 5:39pm

**Beth Hancock** No. No more smoking. Please.  
November 13 at 7:22pm  
Likes 2

**Reply 1**

**David Knowles** Wish I could just give it up, unfortunately its not that easy.  
November 13 at 8:32pm

**Jeffrey Rehder** I'm a smoker and I don't smoke in parks or even where kids might be, like shopping centers.  
November 13 at 7:28pm  
Likes 4

**Ethan Lamb** Litter is another issue but I agree with you. Cigarette butts should be considered garbage and fines issued to those who toss them to the ground.  
November 13 at 11:25pm

**Parker Knight** Yes. My car makes more pollution than that. Or bus. Or truck.  
November 14 at 3:41am

**Parker Knight** Dog poop has more bio hazard.  
November 14 at 3:41am

**Parker Knight** What is more worse? Garbage cans. Yeah. 1 per house 24/7 emitting methane as food rots until picked up and still releasing gas.  
November 14 at 3:43am

**Clark Johnson** No!! No cigarettes or dope smokers allowed!!  
November 14 at 8:26am  
Like 1

**Ken Abell** Its getting ridiculous now. People throw trash on the ground, so no eating allowed in parks either.  
November 14 at 8:55am  
Like 1

Attachment A

**Patrick Michael Mullen** No.  
November 14 at 8:57am

**Tim Hayden** Most smokers I know do not litter with butts my question is how about drinking and driving your kids home. ??? That doesn't seem to be a problem. A lot of wine drinkers leave bottles behind what's with that? ??  
November 14 at 9:30am  
Like 1

**Brian Winterfield** No smoking please!  
November 14 at 11:13am  
Like 1

**Howard Silverman** No!!!!!!  
November 14 at 11:19am

**Jim Odoms** Hell NO  
November 14 at 2:37pm

**Lee Graves** Yes I do.  
November 14 at 2:52pm

**Paul Mondragon** Yes  
November 14 at 3:13pm

**Derick Cain** The parks are primarily full of kids, and the last thing I want when I take my kids is someone smoking. Please smoke in your car.  
November 14 at 7:41pm  
Likes 3

**Robert Evans** I'll smoke when and where ever I want but away from kids  
November 14 at 7:43pm  
Like 1

**Terri Denemy** I'm a non smoker, but yes they should. It's outdoor's for goodness sakes. Share the world have some tolerance.  
Yesterday at 4:30am  
Likes 2

**Sebastian Zavage Villanueva** smoking anything should be allowed in parks  
12 hrs

**Gordon W. Hieronimus** when are you going to try to stop it on sidewalks? or while driving through the city?Where do you stop???  
15 hrs  
Like 1

**Dana Meinecke** Yes....we have rights too  
3 hrs

Attachment A

**Amy Lopez** Smoking is not a "right" for anyone, regardless of where you are. So to answer the question, no, they don't have the right to smoke in city parks. They do have the right to peaceful enjoyment and comfort, and if that means smoking, so be it. If that peace infringes on the peace of another (smoking where it will affect me, a non-smoker), then that is a problem.

18 mins

Update 11/17/15 at 8:40 am

Likes 6

**Todd Allison** Yes

November 17 at 9:37am

**Eric Lively** I am a non cigarette smoker. Also ex smoker from over 20 years ago. I don't believe smoking anything is a right of any sort. But adults should be able to smoke whatever they want. In a public place around others who have the right no...See More

November 17 at 12:09pm

Likes 2

**Kimberly DeMarchi** No! Tualatin is a beautiful city with wonderful people.....keep it safe and healthy for everyone.

November 17 at 12:41pm

Likes 2 ·

**Chris Hatzi** Sure...as long as they don't exhale

November 17 at 3:37pm

Likes 2 ·

**Reply 1**

**Penny Hatzi-Lewman** Oh My God! Really?? This is hilariously absurd!!!

November 17 at 3:59pm

**Shawn O'Connor** No. Too many times the smoke still wafts into other people's lungs as second hand smoke.

November 17 at 4:27pm

Likes 2 ·

**Jonathan Crane** Even as a non-smoker, I think saying no smoking in parks is too broad. Perhaps prohibiting it around play structures and bleachers during sports events would be a happy medium.

November 17 at 5:15pm · Edited

Likes 1 ·

**Gregg Walther** No

November 17 at 5:08pm

**Mairah G Sagrero Silva** Have a Smoking only area

November 17 at 6:20pm

**Barry M. Greenberg** Until you're able to limit the damage and the repulsiveness to the smoker, smoking in public cannot be a right.

November 17 at 8:58pm

Attachment A

Likes 1 ·

**Stacey Mark Taft** IF there is a smoking zone or smoking allowed, I'm afraid that it might end up being more pot smokers than nicotine smokers... that is NOT something I'm okay with... especially where kids play!

November 18 at 4:09pm

**Margie Bradley** How would enforcement of such a law be handled?

November 19 at 6:29am

Likes 1 ·

**Karen Koch** I am a smoker, but also trying to quit. So many rights have been taken from smokers, that it is ridiculous. It is legal, so you should have the right to smoke in an outside place, as long as it is not affecting anyone around you. I have ALWAYS been respectful of other peoples feelings when smoking, and I think most smokers are.

November 19 at 11:23am

**Brandy Shrope** I am really not trying to attack, but why should smokers have rights? My right to breath clean air gets violated everytime I walk by a smoker. You should have the right to smoke in your home or your car. Just as you can't drink alcohol and, now, sm...See More

November 19 at 12:13pm

Likes 4 ·

**Kristine Cox** Absolutely not. Smoking is vile.

November 19 at 12:25pm

Likes 2 ·

**Kirsten Ostrander** Since smoke has no awareness of boundaries, smoking areas are essentially useless. Smoke goes where it goes. And I have no desire to breathe it. If someone chooses to smoke, they should take it somewhere that it doesn't affect others. Working in me...See More

November 19 at 1:55pm

Likes 2 ·

**Phil Cartozian** No.

November 19 at 4:33pm

**Laura Talamantes-Zepeda** Nope! We go to the park to enjoy fresh air and the beautiful scenery. Only, to get stuck behind a smoker who then flicks the cigarette butt into the grass left to be everyone else's problem.

November 19 at 6:16pm

**Trevor L Owens** No

November 19 at 7:20pm

Likes 1 ·

**Post #5**

November 20 at 5:30 pm

**Should vaping be restricted on outdoor City property?**

Attachment A

**Ethan Lamb** No. This was once a free country.  
November 20 at 7:31pm  
Likes 2 ·

**Cyndy Darrh Hillier** Yes. Exhaling those chemicals is a danger to all around. It is about the rights of those walking a recreating in our community too. Not just one group making dangerous health decisions.  
November 20 at 8:40pm · Edited  
Likes 4 ·

**Jasmine Wilder** What chemicals? Do you know how a vapor pen works?  
November 21 at 5:34am

**Julian Betka** I agree cyndy.  
November 21 at 7:19am

**Toni Carrasco** Still smells like nicotine  
November 21 at 5:03pm

**Cindy Anderson-Callahan** No!  
November 20 at 11:06pm  
Like 1 ·

**Jasmine Wilder** No. This is irritating. You dont want cigarettes but you dont want what helps people quit safely either?  
Do some research. Once exhaled there's only slight trace amounts of nicotine and vapor. (If they're even using nicotine eliquid.) Some people vape with no nicotine at all.  
November 21 at 5:33am

**Gordon W. Hieronimus** what is next? farting in public???  
November 21 at 9:15am  
Reply 1

**Sara Evans** thats already illegal... its called assault with a deadly weapon  
3 · November 21 at 1:51pm

**Sharon Ferland** Yes it's just as annoying.  
November 21 at 2:01pm  
Like 1 ·

**Elena Villasenor** Yes, please respect every body...  
Yesterday at 6:53am

**Ed Casey** Look up the levels of formaldehyde in vaping - can be MUCH higher than cigarettes - scary ! Be aware.  
22 hrs

**Post #6**

November 27 at 12:00pm ·

**How do you feel about restricting smoking outside the Tualatin Public Library?**

**Karen Bleker** Yes

November 27 at 12:15pm

**Lindsey Schwenke** yes please!

November 27 at 12:15pm

**Melanie Nicole Garcia-Mijares** Please do it. I love this city and love taking advantage of all it's public services like this library, but I must say that the amount of transient smokers hanging out front has kept me and my daughters away for the past 4-5 months. It's uncomfortable ...See More

November 27 at 12:16pm

Likes 5

**Molly Sammons Burns** Yes. Restrict smoking and alcohol and drug use. The atmosphere has become dangerous.

November 27 at 12:24pm

**Reply 1**

**City of Tualatin** - Government Alcohol and drug use are prohibited inside the Library and on Library grounds, and Library staff actively enforces the Library's behavior rules with assistance from Tualatin Police. If you observe someone behaving inappropriately, please notify staff immediately so appropriate action can be taken.

November 27 at 3:15pm · Edited

**Ethan Lamb** I feel that the government needs to butt out of our lives. Pun intended.

November 27 at 12:43pm

Likes 2

**Edward J. Palumbo** I'm not a smoker, but I wouldn't forbid smoking OUTSIDE the library, well away from the doors.

November 27 at 1:03pm

Likes 2

**Flick Chew** I agree

November 27 at 1:16pm

**James Gill** It's a public place, it should be, as all public places should.

November 27 at 1:35pm

**Cindy Anderson-Callahan** People should be allowed to smoke outdoors!

November 27 at 2:36pm

Likes 3

**Jim Odoms** Restrict smoking everywhere t

November 27 at 2:43pm

**Tita Shadian** Yes please do it..  
November 27 at 2:50pm

**Julian Betka** Please  
November 27 at 3:48pm

**Dorinda Moore** Yes yes and yes  
November 27 at 4:16pm

**Natalie Eckhoff** Yes  
November 27 at 4:26pm

**Mark Thoenes** I am not a smoker, and I would prefer not to be subject to second-hand smoke outdoors in any Tualatin public area...including school grounds, public parks, the lake, et. al. So if Tualatin elects to ban outdoor smoking in ALL public areas, so be it...but banning outdoor smoking just on the library foot print seems to be a partisan move by a special interest group, which I find self-serving and disrespectful.....

November 27 at 4:31pm  
Like 1

**Replies 2**

**Derek Richards** How is prohibiting smoking a partisan move, and by what special interest group? Mind you, that they're asking the public what they would prefer. The lion's share seem to prefer no smoking. Does that make us a special interest group?  
November 28 at 11:54am

**Mark Thoenes** Derek, re-read what I wrote. Banning smoking in ONLY ONE PUBLIC AREA, AND NOT ALL PUBLIC AREAS, can be partisan and lead by a special interest group who cares solely about the outdoor foot print of the Tualatin library and NO OTHER TUALATIN PUBLIC AREA!!! I indicated I was in favor of banning smoking in ALL Tualatin public areas....please do not misinterpret my words and misconstrue them as such...thank you...smile emoticon  
November 28 at 3:49pm · Edited

**Barry M. Greenberg** Do. It.  
November 27 at 4:45pm

**Dave Edelman** You are all forgetting this is a free country. Ban this ban that pretty soon we are not free.

November 27 at 5:21pm  
Like 1

**Sheila Gardner** yes (smile emoticon)  
November 27 at 5:26pm

**Cheryl Malmsten** Less restrictions I feel is best!  
November 27 at 5:37pm

**Sarah Hall** Yes, please! Taking my kids past the smoke to go in and out of the library bothers us.

November 27 at 6:45pm

Attachment A

**Mark Fossier** I feel with my hands!  
November 27 at 7:26pm  
Like 1

**Pam Ankrim** Yes  
November 27 at 8:10pm

**Gordon W. Hieronimus** stop limiting liberty and freedoms... good grief where does it end?  
November 28 at 8:54am

**Michelle Evans Wolfersberger Sabins** (thumbs up)  
November 28 at 9:29am

**Michelle Evans Wolfersberger Sabins** Stop selling cigarettes period!  
November 28 at 9:30am

**Derek Richards** For those complaining about regulations stripping them of their liberty, remember this saying? Your right to swing your arms stops when your fist hits my face. Doesn't someone else's right to smoke stop with that smoke enters my airway? Do I not have the right to NOT breathe tobacco smoke into my lungs?  
November 28 at 11:57am  
Likes 4

**Chris Coronado** Let's make all of Tualatin smoke free! Inside, outside, downside, topside, all side smile emoticon  
November 28 at 1:19pm  
Like 2

**Mark Punzel** Nada  
November 28 at 6:38pm

**Dana Meinecke** No..we have rights too. We pay taxes!!!!!!!\*\*\*  
8 hrs  
Like 1

**Sebastian Zavage Villanueva** Let ppl smoke their weed outside of the library  
18 hrs  
Likes 2

**Katelyn Maier** YES! It was awful one day, I had my three year old waiting near the door while I got my baby out of the car in one of the front parking spots....a teenage boy walked up, sat on one of the tables, and lit up his cigarette less than 10 ft from my son. I obviously was already hurrying to get the baby out to go in the library, but knowing I had the choice of having my 3 yr old come closer to me (closer to cars) or stay where he was and be exposed to cigarette smoke was a pretty disheartening feeling. To those worried about the laws taking away their freedoms-stop taking away my children's rights to a smoke free trip to the library. Stop taking my right to walking from my car to the grocery store without the need to cover my face or have physical symptoms for an hour due to an allergy. I don't care if you smoke, I DO care when you make me smoke.

Attachment A

14 hrs

**Sheryl Christmas** I don't smoke, and I don't like being around others who smoke. But I'm not comfortable with the vendetta-style drive to ban all smoking everywhere. Whether I like their habit or not, smokers are people too.

That said, the library is not only a public place, it is a public place frequented by children. Smoking should not be permitted near the main entrance.  
1 hr

**Dana Meinecke**

1 hr

(graphic of animated creature)

**Susan Canedo** Inside buildings ok... within 6 feet of the entrance ok... anything else outside... really people????  
December 3 at 12:22pm

**LaTonya Freauf** Yes, please! I'm not sure why this hasn't already been done?!  
December 3 at 3:15pm

**Sary Dealba** (smiley face)

December 3 at 7:47pm

**Erin Ehrhart** Absolutely! !

December 3 at 10:59pm

**Kirsten Ostrander** Why should the smokers be allowed to limit the use for the non smokers? For those that smoke and do so in public spaces where we all congregate, we are left smelling like smoke, breathing in the smoke and for some, paying the consequences of allergies due to that smoke. Your rights end where mine begin and I want to breathe. If you feel the need to smoke, do so in an area that non smokers do not congregate.  
December 4 at 10:20am

## Smoke and Tobacco Free City Spaces

### Tualatin Townhall Comments



City of Tualatin

October 30 Edited  
Tualatin, OR posted

Should all City-owned or managed property be smoke-free and tobacco-free?



Tualatin City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces. Do you have an opinion? Key issues include:  
What should be restricted (e.g., tobacco (smoke and chew), inhalant delivery systems (vaping))?  
Which locations should be included (e.g., Tualatin Commons, Library plaza, all parks and trails, parking lots, all City-owned or managed properties)?

#### **Candice Kelly**

Tualatin City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces. Do you have an opinion?

YES all the below should be included!!!! Key issues include:

What should be restricted (e.g., tobacco (smoke and chew), inhalant delivery systems (vaping))?

YES all of the above should be included.

Which locations should be included (e.g., Tualatin Commons, Library plaza, all parks and trails, parking lots, all City-owned or managed properties)?

ALL city owned property and other places where city staff work and the public visit should be included.

November 5

**Mike Dempster**

YES, but I also recognize smokers should have access to the parks other public areas as well so I would also be in favor of designated smoking areas away from playgrounds and sports fields where children will be. All public locations would include all city owned or managed properties available to the public. I would include smoke, chew, vaping, and non tobacco as well (marijuana which may already be prohibited).

November 9

**Stephanie M**

Yes. All City owned properties should ban all tobacco (smoke and chew), marijuana, inhalant delivery systems (vaping), but should include an exception for prescribed medical inhalers (asthma).

November 9

**Nancy B.**

Yes, all City owned properties should ban tobacco (smoke and chew), inhalant delivery systems (vaping), but not prescription medical inhalers.

November 9

**Lauren S.**

All forms of tobacco and inhalant delivery systems should be banned from city property in all locations, including parks, Tualatin Commons, etc.

November 10

**Adam L**

I don't think that we should necessarily ban inhalers or chew, but all other forms that would effect others should be banned (smoking, vaping, etc.)

As for locations, I think all of the listed places should be subject to these regulations. I could see parking lots being an exception, though.

November 10

**Lisa Thorpe**

Yes, I think all City owned properties should ban tobacco, including smoked and chewed, and vaping, but should not include prescription medical inhalers.

November 13

**1 person** likes this

**Candice Kelly**

I agree and had not thought about medical inhalers etc being included so I too would amend my comments to all BUT prescription medical inhalers

November 13

**Betty Abadia**

All but medical use should be restricted. Thank you.

November 21

**Jennifer Bach**

Yes, I feel there are parts of this ban that make sense.....in my opinion.....tobacco can be used in many ways that do not effect anybody except the intended user. I feel that chewing tobacco is not like cigarette/cigar/pipes because there is no residual effect of tobacco chewing like second hand smoke. The only individual being effected by the tobacco chewing is the chewer himself. As far as cigarettes/cigars, pipes and vapes: Yes I absolutely, strongly feel that any type of tobacco smoking article that creates second hand smoke that can expose children and adults other than the smoker to second hand carcinogenic smoke should be banned from City owned property. This should not include prescription medical inhalers.

November 23

**Bethany Veil**

How is this going to be enforced? Are we going to put up a bunch of signs everywhere to warn people? Are cops going to be issuing tickets? Is it that much of a problem to make it an enforceable ordinance? I have not noticed that many people smoking in public spaces in Tualatin to go through the trouble of an ordinance and enforcement and the money that will cost that could be spent in other ways. I do not smoke and don't like it around me, but it has never seemed to be an issue in Tualatin to me.

November 30

## Smoke and Tobacco Free City Spaces Policy

### Public Responses

#### By Email

11-2-15

Jim Muir

**Subject: Smoke Free Outdoor Spaces**

While I am not a fan of government having to regulate common sense, I am overwhelmingly in favor of smoke-free outdoor spaces everywhere. There are so many community events I would love to attend (I'm a life-long Tualatin resident), I don't because I can't stand the smoke. And now we not only have to contend with cigarettes and cigars, now there are nasty smelling e-cigs and pot. I work downtown Portland, and you can't even go out at lunchtime for a walk without being assaulted. And there is a proven health risk with second-hand smoke, so for me it is a no-brainer. I spent 2014 and half of 2015 battling breast cancer. I sure don't want to go another round with that just because someone is too lazy to put down the cigarettes. I think it is time the rest of us got a turn at enjoying our fair city and activities, and they can stay home for a change. Ban it everywhere please! If they want to smoke, they can do it at home. With their windows shut. It has gotten so you can't even enjoy your home's patio in the summer due to neighbors puffing away. You'd have thought by now everyone would have learned. Alas.

11-2-15

L. Rotunno, Tualatin resident

**Subject: Smoke Free Policy**

Don't turn Tualatin into a wacko town. Smokers are not criminals, let people enjoy life.

L. Rotunno

Tualatin resident

11-3-15

Sharon Davis

**Subject: Smoke-Free Outdoor City Spaces**

Hello,

I am glad you are asking for opinions.

I am all for making all city spaces a smoke-free area!

Because of my asthma, I have always a hard time passing smokers. Smokers do not usually think about how the second hand smoke effects those who come near them. And if they are right in a pathway that I have to go through (**like where the Wetlands bridge walk way meets Alara Hedges Creek Apartments...**) I have no choice but to breathe in their smoke. I also do not like smelling like cigarettes. Libraries, parks walkways near store doors, etc. should be smoke-free. Non-smokers should not be subjected to inhaling second hand smoke.

But I also have another question, will these smoke-free areas also include pot smokers? Because these smokers are around somewhere as I also smell this when my husband and take our daily walks.

Thank you for thinking of everyone's health!  
Sharon Davis

**11-3-15**

**Carolann Curthoys**

**Subject: smoke-free outdoor spaces**

I would like the city to designate all city-owned and managed property no smoking, drinking alcohol, sleeping, begging, doing or selling drugs, urinating or defecating areas. The number of people doing these things in public is beginning to make my small town look like the Burnside area of Portland and that is totally unacceptable. Thank you. Carolann Curthoys

**11-5-15**

**Candice Kelly**

**Subject: So I went to the Smoking site and**

I think I did it right but on the off chance I didn't I will post to you here as well:

Tualatin City Council is considering a policy for smoke-free and tobacco-free outdoor City spaces. Do you have an opinion?

YES all the below should be included!!!! Key issues include:

What should be restricted (e.g., tobacco (smoke and chew), inhalant delivery systems (vaping)?

YES all of the above should be included.

Which locations should be included (e.g., Tualatin Commons, Library plaza, all parks and trails, parking lots, all City-owned or managed properties)?

ALL city owned property and other places where city staff work and the public visit should be included!

And then I am making notes for the Tualatin Together Champions Event for the debrief, so if you have any comments you would like me to send on the Cyndy and the team, let me know!

Thanks, have a good rest of the week, Rich!

Candice

**11-17-15**

**Mark Began**

**Subject: Smoke & Tobacco Free City Spaces Feedback**

Dear Rich,

I wanted to let you know that I highly endorse the proposed Smoke & Tobacco Free City Spaces ordinance. I've worked with children and students in youth sports for years and believe the value in adults modeling healthy behavior is vital to keeping our kids healthy for a lifetime. I believe our parks and common spaces need to be used in a way that they were intended, for the promotion of a healthy community and thriving relationships. Too many times second hand smoke has caused an unpleasant environment for parties and spectator sports. I've also seen that underage smoking happens often in those common environments too. This ordinance can help law enforcement since it doesn't have to look at or try to discern the age of the offender in order to deal with the situation. Plus, I believe the benefits of positive self-policing can greatly outweigh the potential challenges of habitual violators.

I'm in favor of this ordinance and hope it gets finalized soon!

Mark Began  
Pastor of Family Ministries  
Rolling Hills Community Church  
[mark.began@rollinghills.org](mailto:mark.began@rollinghills.org)

**11-17-15**  
**Mason Hall**  
**Subject: RE: TAAC meeting Tues, November 17**

Hi Kelsey,

I'm sorry, but I'm not feeling well so I'm going to pass on the meeting tonight. However, I would like to offer my view concerning the policy of smoke and tobacco free outdoor spaces in the city. I am a non-smoker, but a strong supporter of civil liberties. As much as I dislike the fumes from burning cigarettes, I have a much stronger distaste for excessive restrictions on something that is already legislated by the state. I recognize the health and safety concerns, but believe these to adequately mitigated by current policies.

Thanks, and I hope this gets to you in time.

Mason

**11-21-15**  
**Rachael Mortensen**  
**Re: Smoke & Tobacco Free City Spaces**

In a perfect world, there would be no smoking of any type in public areas. While people have a right to enjoy legal substances without fear of judgement, when it comes to the health of our children and families, we have a responsibility to provide a smoke-free community for young children and teens. It's a bit more complicated than it may appear, truly, but with second hand smoke being such a huge health risk, and the unknown dangers of vaping, we believe that smoke free public spaces create a safe place for children and under-age teens to enjoy.

If we ask ourselves "what harm can come from the decision to make all public places smoke-free," there are far more benefits than liabilities.

Thank you for asking.

### **Walk-In to Office**

**11-12-15**  
**Joe Lipscomb & Bev Phelps**  
Restrict smoking and tobacco of all kinds in every form and at every location/everywhere.

### **By Phone**

**12-1-15**  
**Cathy & Bob Nucome**  
Smoke free outdoor city spaces, specifically parks and library plaza, no smoking of any kind (tobacco & marijuana).

Nov. 28, 2015



Rick Mueller - rmueller @ ci - tualatin, or. us  
 or Tualatin Oregon . gov

The parks belong to everyone. The air belongs to everyone.

It's hard to believe a puff of smoke from a cigarette in the open air is going to harm anyone - offend? Yes, there are those who would control many things we do, that are not pleasing to them. Whatever happened to the old saying "live and let live?" Certainly forgotten these days.

I have not smoked for 20 years, but I remember the nasty looks and outright mean comments of someone walking by while I smoked outdoors. What gave them the right? Oh yes, popular opinion.

I'm sure we don't believe that by forbidding smoking on all city property (which actually belongs to us taxpayers) will stop anyone from smoking. Of course the world we live in now doesn't believe in personal responsibility - we must be told what we can't say, what we can't do and day by day we are losing more of our personal freedom. When will it stop?

When you think about ~~it~~ the air pollution from cars and bus exhaust how foolish it seems to believe someone smoking a cigarette could make a difference. It's just another method of control far holier than those people who must have their "rights" while depriving others of theirs. That's the world we live in. Too bad.

Mary Glassmeyer  
 Native Oregonian and Tualatin  
 citizen for 38 years

## Smoke and Tobacco Free City Spaces Policy

### Employee Responses

**11-9-15**

I'm emailing you directly to tell you that I fully support the City going to a non-smoking stance at City Buildings, Spaces, and parks.

**11-9-15**

My opinion:

1. *Should all City-owned or managed property be smoke-free and tobacco-free?*  
No.
2. *What should be restricted (e.g., tobacco (smoke and chew), inhalant delivery systems (vaping))?*  
N/a because "no" above.
3. *Which locations should be included (e.g., Tualatin Commons, Library plaza, all parks and trails, parking lots, all City-owned or managed properties)?*  
N/a because "no" above.

**11-10-15**

I would question if city employees will be expected to enforce this policy?

**11-10-15**

Include all smoke, chew, vap

Locations parkland, plaza, events

Find a way to accommodate employees who want space to smoke or chew

Designated area for employees not in public eye

**11-12-15**

I have long said it would clean up a lot of the problems we have at the skate park if we prohibited smoking in the park. I would love to see it gone. Of course it would help with litter and health. You would have my support for sure.

### Smoke-Free Outdoor City Spaces

The Tualatin City Council is considering a policy regarding outdoor smoke and tobacco free City spaces. Key issues include what may be restricted, such as tobacco and vapor, and which locations may be included, such as all City owned and managed property, or only selected areas like parks and the Library plaza. Do you have an opinion? The City welcomes your comments! Please contact Parks and Recreation Manager Rich Mueller at 503.691.3064, email [rmueller@ci.tualatin.or.us](mailto:rmueller@ci.tualatin.or.us), or join the discussion at [www.tualatintownhall.com](http://www.tualatintownhall.com).

### Southwest Corridor Plan

The Southwest Corridor Project is focused on studying high capacity transit (HCT) from Southwest Portland to Tigard and Tualatin. The City of Tualatin partnered with Metro, TriMet, ODOT, the cities of Portland, Tigard, Sherwood, Durham, Beaverton and Washington County to study the proposed alignment. The project team has been evaluating multiple alternatives along the alignment to present to the Steering Committee, which is made up of representatives from each of the partner agencies.

Recently, the Steering Committee discussed the Tigard and Tualatin alignments as well as direct service options to Portland Community College (PCC) Sylvania Campus. The Steering Committee is scheduled to make a decision regarding the preferred terminus location in December 2015. In February 2016, the steering committee will select a mode, which could be bus rapid transit or light rail. In February, they will also determine if direct service to PCC will continue to be studied.

To learn more about the project, provide public comment or to see the Steering Committee schedule please visit [www.oregonmetro.gov/public-projects/southwest-corridor-plan](http://www.oregonmetro.gov/public-projects/southwest-corridor-plan).

### Street Sweeping – November 2-13, Weather Permitting

Street sweeping will occur November 2-13 weather permitting. For specific information on street sweeping in your area, check out our street sweeping map at [www.tualatinoregon.gov/publicworks/street-sweeping-program](http://www.tualatinoregon.gov/publicworks/street-sweeping-program)

## Starry Nights and Holiday Lights



Please join us as we kick off the holidays with the Starry Nights and Holiday Lights celebration. Come be a part of a special night filled with thousands of twinkling lights, hundreds of song-filled voices, and the lighting of the floating holiday tree. This free family event is possible thanks to our major sponsor Comcast and will include music from our local youth choirs, the tree lighting, crafts, a visit from Santa, hot cocoa from Starbucks, and cookies from New Seasons Market.

For more information on this exciting event, please visit our website at [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

Tualatin Lake of the Commons  
8325 SW Nyberg St.  
Friday, December 4, 5:00-8:30 pm.

#### Schedule of events:

- 5:00 - Tualatin High School Brass Ensemble
- 5:30 - Tualatin High School Crimsonnaires
- 6:00 - Countdown to tree lighting and Santa arrives
- 6:15 - Magic Years Preschool and Reaching New Heights Kindergarten Choir
- 6:35 - Tualatin Elementary Choir
- 6:55 - Bridgeport Elementary Holiday Choir
- 7:15 - Byrom Elementary Choir
- 7:35 - Hazelbrook Middle School Choir
- 7:55 - Tuality Middle School Treble Choir

### Juanita Pohl Center Veterans Recognition Breakfast

Veterans Day was originally established to honor Americans who served in World War I. Today Veterans Day honors veterans of all wars for their patriotism and willingness to serve in the military and sacrifice for our country. There are over 23 million military veterans in the United States. The brave men and women who have served and protected our country come from all walks of life; they are our friends, neighbors, co-workers, parents, children and grandparents.

On Monday, November 9, the Juanita Pohl Center will host the annual Veterans Recognition Breakfast from 8:00 am to 9:30 am. This year's event will have special guest speakers, a delicious breakfast, and fun gift give-a-ways. All veterans can register FREE and non-veterans pay only \$6.00. The registration deadline is Monday, November 2. Interested participants can sign-up at the center or online at [www.tualatinoregon.gov/recreation/pohl-center-special-events](http://www.tualatinoregon.gov/recreation/pohl-center-special-events). Call the Juanita Pohl Center at 503.691.3061 for more information.

### CenterCal Properties Honored with the Tualatin Community Enhancement Award



The Tualatin Arts Advisory Committee (TAAC) conceived the Community Enhancement Award in an effort to recognize art endeavors within the community that result in the enhancement of the visual or performance arts experience in Tualatin. TAAC discussed candidates and voted to recommend CenterCal Properties for

the "I Wonder" mastodon (also known as "Dean") and boy bronze sculpture in front of Cabela's in the Nyberg Rivers shopping center. The mastodon sculpture was created by sculptor Brian Keith. It benefits the community by enhancing the City's efforts to interpret Tualatin's natural history of prehistoric animals and the Ice Age floods along with the mastodon bones at our Library and the Ice Age Discovery Trail. Chad Hastings, General Manager accepted the award on behalf of CenterCal.

If you would like to recommend an individual or organization for their contributions to the Tualatin community through the arts, please contact the City at 503.691.3062.

## Tualatin River Greenway Trail Project Update

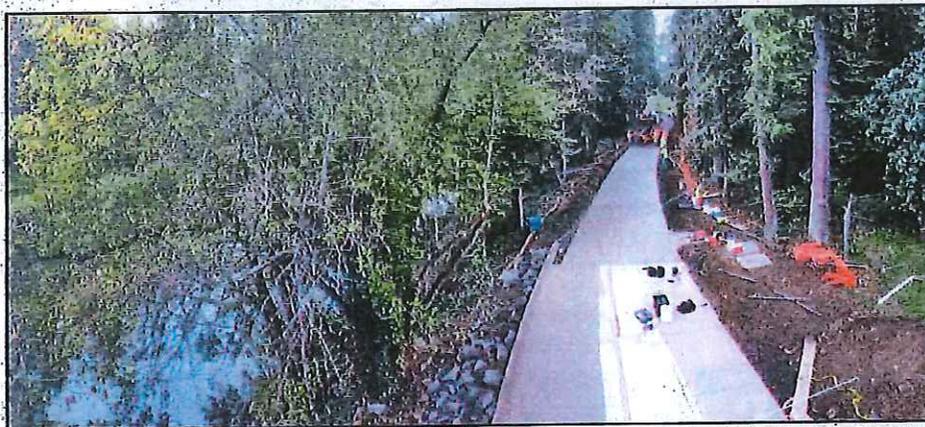
BY KELSEY LEWIS, MANAGEMENT ANALYST, CITY OF TUALATIN - COMMUNITY SERVICES

The City of Tualatin is constructing a new three quarter mile segment of the Tualatin River Greenway Trail. The new segment is located between the new Barngrover Way (near the library) and Nyberg Lane (including an undercrossing of I-5). The trail will be open for public use in the Winter of 2015/2016.



Brown Contracting employees place concrete for path under I-5. Fencing, railing, and daytime lighting will be installed before the trail opens in the Winter of 2015/2016.

Keep an eye out for more updates on the City website [tualatinoregon.gov](http://tualatinoregon.gov).



Path construction continues east of I-5 along the Tualatin River north of the Nyberg Woods Shopping Center.

## Smoke Free Outdoor City Spaces Policy

BY KELSEY LEWIS, MANAGEMENT ANALYST, CITY OF TUALATIN - COMMUNITY SERVICES

The Tualatin City Council is considering a policy regarding smoke and tobacco free outdoor City spaces. Public health, reducing youth smoking, fire safety, maintenance reduction and environmental harm are some of the reasons this policy is being considered. Key issues include: what may be restricted, such as tobacco (smoke and chew) and inhalant delivery systems (vapor);



and which locations should be included, such as all City owned or managed property, or only selected areas like parks, parking lots and the library plaza. Do you have an opinion? The City welcomes your comments through the month of November. Please join the discussion at [www.TualatinTownhall.com](http://www.TualatinTownhall.com) or

contact Rich Mueller, Parks and Recreation Manager at [rmueller@ci.tualatin.or.us](mailto:rmueller@ci.tualatin.or.us) or 503.691.3064.

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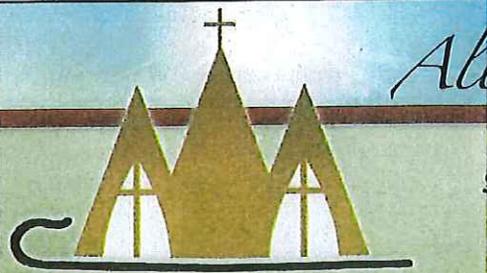


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## Winter Wishes and Holiday Dreams

It may be too early to think about winter, and it's certainly too early for the onslaught of holiday jingles, but the season is always right for making wishes and dreams come true. For your local chamber of commerce, this is a true sentiment, and is echoed by Tualatin business and leaders who are

to offer new opportunities for businesses and the community to come together. It's no wonder the chamber's motto is Business and Community Working Together!

So this holiday season, the Tualatin Chamber wants to continue the tradition



25<sup>th</sup> ANNIVERSARY

HOLIDAY

## Tualatin eyes tobacco ban for city facilities, sidewalks

Created on Monday, 12 October 2015 18:35 | Written by [Mark Miller](#) | 

[6 Comments](#)

Ordinance could come before City Council in early 2016

Smokers in Tualatin could soon have to find a new spot to light up away from city parks, plazas and other public facilities.

Members of the Tualatin City Council, led by Mayor Lou Ogden, agreed Monday to proceed with exploring an ordinance that would ban the use of tobacco on city-owned land, including sidewalks adjacent to public facilities. The council could take up such a ban as early as January.

Ogden argued for a nearly comprehensive ban, saying he is concerned about secondhand smoke, which medical experts say is a major public health risk due to carcinogens in tobacco products.

"My straw ordinance would be systemwide, smoking in a parking lot with your windows rolled up tight ... as long as your dog's not in there with you," the mayor said. "I would include the right-of-way adjacent to public property."

Ogden also said he would include the use of "vaping" devices, such as electronic cigarettes, and "spitting," or smokeless, tobacco under the ban.

Under a timeline presented by Tualatin Community Services' Paul Hennon and Rich Mueller, members of the public would be invited to comment on the proposed ban in November and December, with a draft ordinance going before the City Council in January. Mueller said staff is envisioning a "fairly extended schedule with public involvement" for the issue.

Councilor Frank Bubenik said he wants to be sure a tobacco policy takes the wishes of city employees, some of whom use tobacco, into account as well.

"We're trying to discourage a bad habit, but depending on your viewpoint, it might not be a bad habit," he said.



FILE - Smokeless tobacco would be banned in city parks and other public facilities, as well as on adjacent sidewalks, under an ordinance sought by Tualatin Mayor Lou Ogden.

Bubenik and Ogden agreed they would like the city's advisory committees to weigh in as well.

Councilor Ed Truax asked why the city doesn't go a step further and curtail tobacco sales in Tualatin.

"What I've heard tonight is that one of the main goals of this ... (is) to change people's habits. Well, if we're genuine about that and that's one of our goals, then why facilitate it by selling tobacco products in Tualatin?" he asked.

State law governs the sale of tobacco, Hennon responded. While Tualatin has enacted regulations to limit where marijuana can be sold, there appeared to be little appetite on the City Council to limit tobacco sales, and Hennon and Mueller specifically said retail sales were not

included in the scope of the discussion.

The ordinance, as proposed, would apply only to city facilities and adjacent right-of-way. Sidewalks in neighborhoods away from public parks and other city facilities would not be affected by the tobacco ban, nor would private property.

Several other cities near Tualatin, including [Portland](#) and [Beaverton](#), have already adopted tobacco bans in public parks and other city facilities, Mueller noted.



FILE - Electronic cigarettes like this one would be included in a proposed ban on tobacco use on or adjacent to public parks and facilities in Tualatin, as outlined by Mayor Lou Ogden at a work session.

6 Comments

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**Bret Lieuallen** • 11 days ago

Legislating personal choice legal products. Bad, bad.

It's one thing to say it's protecting OTHERS health, as in second hand smoke.

But vaping and smokeless tobacco?

You've left out sugery drinks, fatty foods, jogging on roads and voting common sense and personal freedom in Tualatin. All dangerous.

1 • Reply • Share



**Howard Hoyle** • 10 days ago

As a coach in the community for over a decade now, I can honestly say that it is not in the best interest of our kids to allow smoking in our parks. When kids are running hard they should not be exposed to second hand smoke. All youth sports leagues require no smoking in the park while practices or games are going on. That is not limited to just right next to the field, that is in the entire park. While I do not believing in curtailing someone's personal choice to smoke, they should not be making that choice for someone else nearby, especially when they are running & breathing hard. Further, we have a huge problem with marijuana use in our parks, especially at TCP (Tualatin Community Park). Since the recent changes in the laws, it seems that people have taken that to mean they can smoke it anywhere, which is not true. There was one day when there were 10-20 people with multiple large bonges at the old picnic shelter getting high while there was a group of 8-9-10 year olds practicing softball. Our kids should not be exposed to that, and our Police Dept needs to be empowered to issue citations and remove that from our parks.

• Reply • Share



**Howard Hoyle** • Howard Hoyle • 10 days ago

P.S. The use of marijuana at TCP is not a 'sometime' thing, it is being used somewhere in the park more than 1/2 the times I'm there.

• Reply • Share



**Bret Lieuallen** • Howard Hoyle • 9 days ago

Second hand smoke is a legitimate arguement.

But what's a legitimate arguement that trumps personal choice with



**Owner & Neighbor**  
Dr. Robert B. Pamplin, Jr.

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## Tualatin seeks public input on 'smoke-free' proposal

Created on Friday, 30 October 2015 13:57 | Written by Mark Miller | [E](#)

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- Seven arrested on prostitution charges
- Tigard High School thanks veterans during annual assembly
- Tigard independent to run for Legislature

### City Council looking at options for smoking, tobacco ban

The city of Tualatin is gathering public comments through next month as the Tualatin City Council considers whether to prohibit smoking and tobacco use on city-owned property.

City councilors discussed implementing a ban on Oct. 12. A draft ordinance could be presented to the council as soon as January.

The scope of the policy has yet to be defined. According to the city website, "Key issues include: what may be restricted, such as tobacco (smoke and chew) and inhalant delivery systems (vapor), and which locations should be included, such as all City owned or managed property, or only selected areas like parks, parking lots and the library plaza."

Mayor Lou Ogden also suggested on Oct. 12 that the ban should extend to public sidewalks adjacent to city property.

To add your comments for the city's consideration, visit the website or contact Rich Mueller at 503-691-3064 or [rmueller@ci.tualatin.or.us](mailto:rmueller@ci.tualatin.or.us).

If Tualatin adopts a tobacco ban, it would join several other local cities, including Portland and Beaverton, that have already banned tobacco in their parks and other city facilities.

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**Tigard**  
Cloudy  
Humidity: 86%  
Wind: 0 mph  
45°F

9 Nov 2015: 51°F  
10 Nov 2015: 53°F

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# Opinion

The Times Thursday, December 31, 2015

...bring more of the types of stories that we will treasure forever. Stories about our neighbors, family and friends reaching out to help others in their community. Stories about coming together to support one another, through good times and bad.

After a deadly earthquake in Nepal, the Tigard Nepalese community stepped up to help, raising money for loved ones overseas. Medical Teams International, which bases its international headquarters near Southwest 72nd Avenue, responded to dozens of emergencies across the globe this year, and when wildfires sparked up across Oregon this summer, it was local firefighters from Tualatin Valley Fire & Rescue who hit the road to help protect families and communities across the state.

This is what our communities are about, and these are the kinds of stories that we hope we will be able to tell more of in the weeks and months to come.

So have a happy New Year, Tigard, Tualatin and Sherwood, and let's aim to fill 2016 with the kinds of stories that show how great our community really is.

## Smoke-free spaces won't help — just control people more

The parks belong to everyone. The air belongs to everyone. It's hard to believe a puff of smoke from a cigarette is going to harm anyone, or offend.

Yes, there are those who would control many things we do that are not pleasing to them. Whatever happened to the old saying "live and let live?" Certainly forgotten these days. I have not smoked for 20 years, but I can remember that nasty looks and outright mean comments of someone passing by while I smoked a cigarette outdoors. What gave them the right? Oh yes, popular opinion. I'm sure we don't believe that by for-

bidding smoking on all city property (which actually belongs to us taxpayers) will stop anyone from smoking. Of course, the world we live in now doesn't believe in personal responsibility — we must be told what we can't say, what we can't do, and day by day, we are losing more of our personal freedoms. Where when will it stop?

When you think about the air pollution from a car and bus exhaust, how foolish it seems to believe someone smoking a cigarette could make a difference. It's just another method of control for holier-than-thou people who must demand their rights while depriving of others of theirs.

That's the world we live in. Too bad.

**Mary Glassmeyer**  
Tualatin

## About letters to the editor

Hey, Times readers, we like to get letters from you, but there are a few rules you need to know. Because our goal is to run every letter we receive from a local person, they need to be no longer than 300 words, and in the interest of fairness, you might be limited to one per month. We will not publish anonymous letters, and we need addresses to tell where the letters are coming from. Deadline for letters is noon Monday.

Send your opinions to Letters to the Editor, P.O. Box 22109, Portland 97229 or via email, [mvance@commnewspapers.com](mailto:mvance@commnewspapers.com).

## READER'S LETTER

**The Times**  
TIGARD | TUALATIN | SHERWOOD

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...and six rebounds despite playing less than a half of the court. Sherwood closed out the 61-17 win.

THOMAS PHOTO: DAN BROOD  
TIGARD (left) controls the ball in front of West Salem's Delaney (right) during a basketball game.

...Markel coming with 3 minutes and 32 seconds left to



City of Tualatin

# Smoke & Tobacco Free

Consideration of Policy Alternatives for  
Outdoor Smoke and Tobacco Free City  
Spaces Policy for Property Owned  
and/or Managed by the City

# History

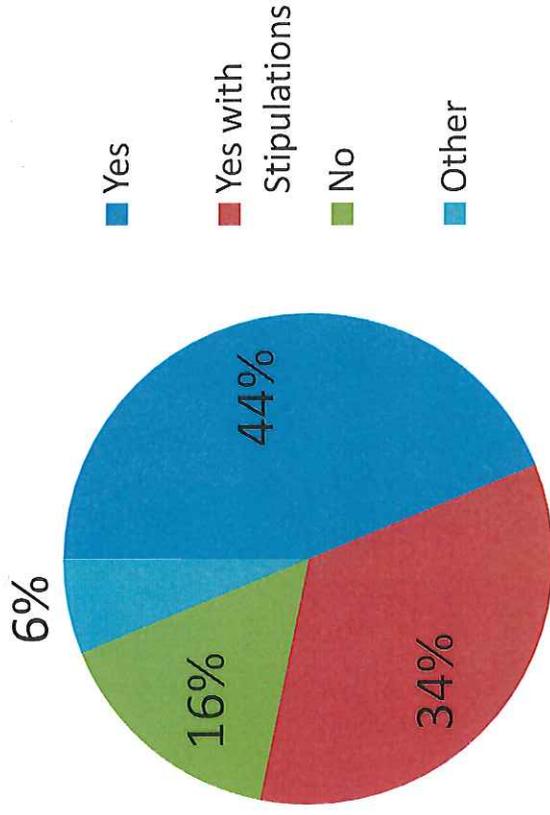
- Tualatin Together (initiative)
- Advisory Committees (recommmendation)
- Council Work Session (July 28, 2014)
- Council Work Session (October 12, 2015)
- Public Involvement (November & December 2015)



# Public Involvement

- City Website
- Facebook (400)
- My Sidewalk (11)
- Email Responses (8)
- Calls (2)
- Walk-in (1)
- Letters (3)
- Media – newspaper (3)
- City Newsletter
- Employee Outreach (5)

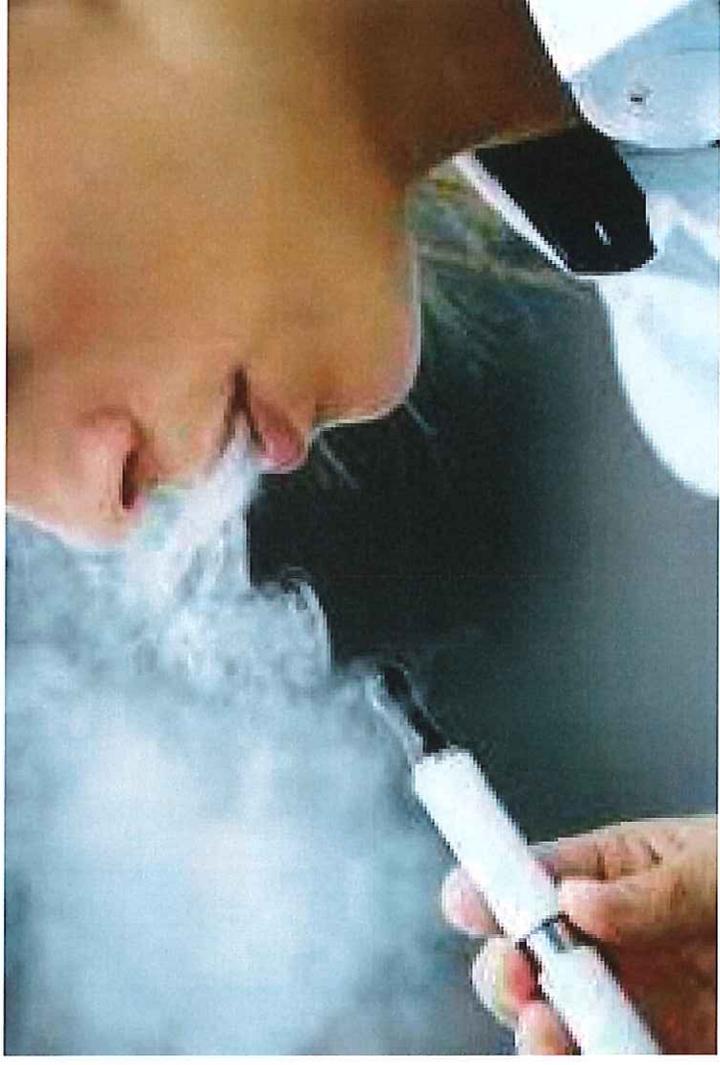
Should all City owned or managed property be smoke and tobacco-free?



# Public Involvement

## Advisory Committees

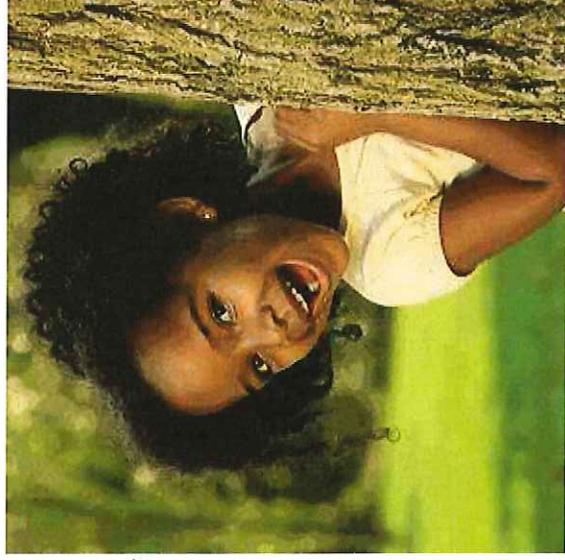
- Parks (TPARK)
- Library (TLAC)
- Planning (TPC)
- Arts (TAAC)
- Core Area Parking



# Public Involvement

## Community Organizations & Agencies

- Washington County Health Department
- Community Involvement Organizations
- Youth Advisory Council
- Pohl Center Advisory Committee
- Chamber of Commerce
- Tualatin Together
- Tualatin Tomorrow



Smoke and tobacco-free parks help keep kids healthy.

Let's get out and play!



Healthy Parks. Healthy Portland.



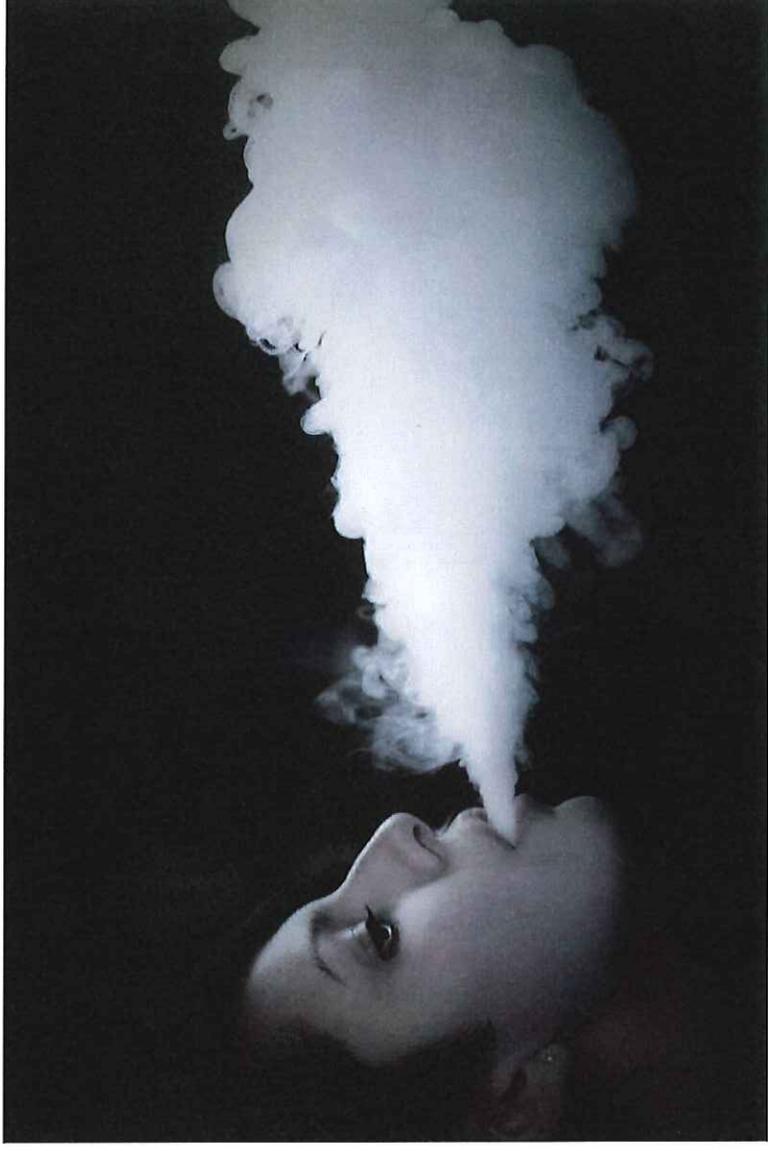
# Policy Alternatives

## Should the Policy Include

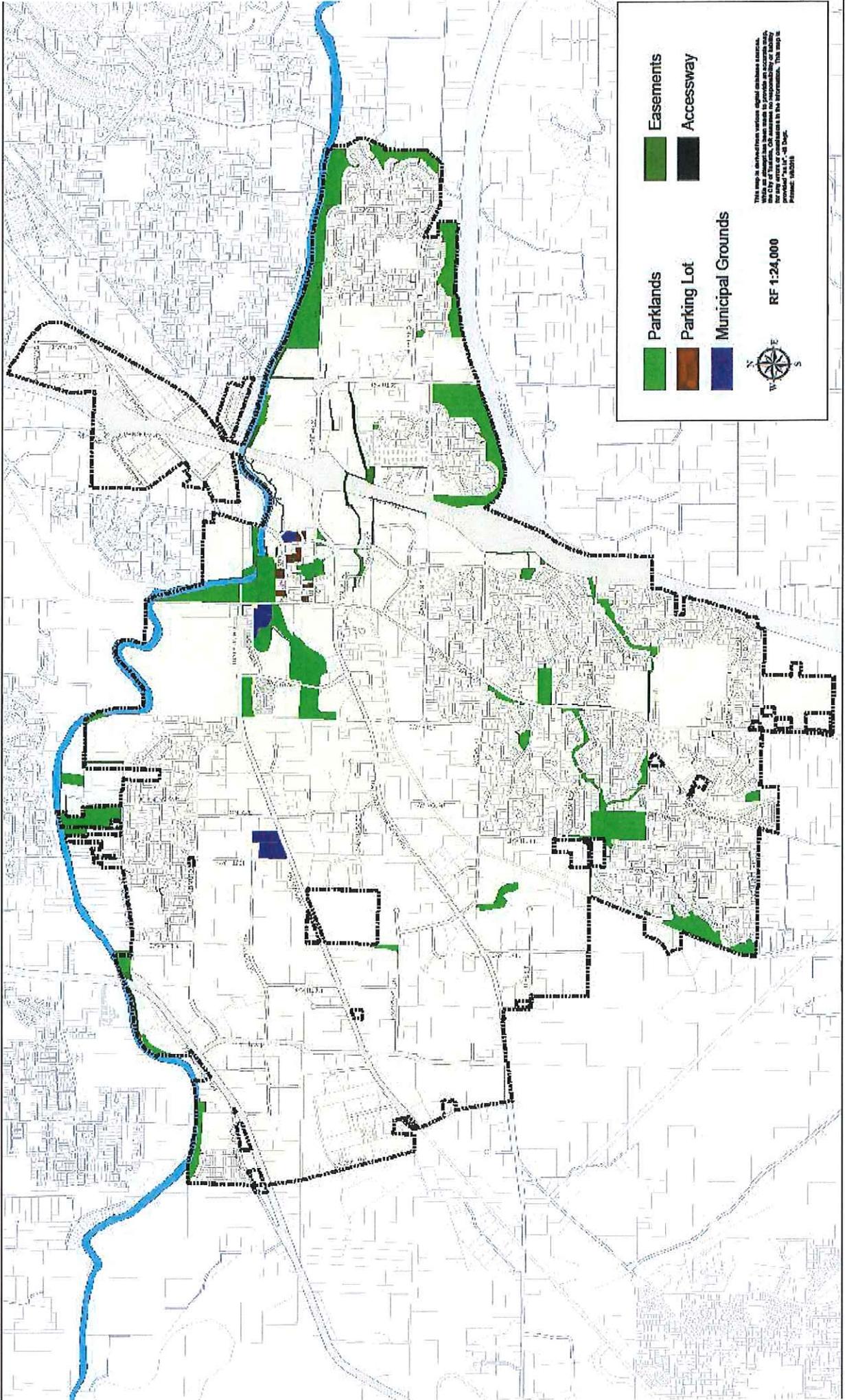
- Smoke Free
  - Burning or Lighted (cigarette, pipe, cigar)
  - Inhalant Delivery Systems (vaping & e-Cigarettes)
- Tobacco Free
  - Smoking
  - Chewing

## Verify Not Included

- Medical Inhalers
- Medical Patches



# Tualatin Owned and Managed Properties



# Policy Alternatives

## **Direction on Locations to be Included**

- System Wide (all City owned or managed property)
- Parklands (parks, natural areas, trails, greenways)
- Plazas (library)
- Tualatin Commons
- Core Area Parking Lots (green, blue, white, red, yellow)
- Departments (police, operations)
- Sidewalks Adjacent to City Property

# Policy Alternatives

## Enforcement

- Regulation on consumption or use (not possession)
- Treat like other park rule violations (litter, dog waste)

Self Enforcing

Warning

Civil Exclusion

Civil Infraction

## Verify Exception(s)

- Within private vehicles with doors and windows closed  
(within all city owned and managed parking lots)

# Next Steps

- Ordinance to Council for Public Hearing/Testimony
- Council Final Decision (Ordinance Adoption)
- Implementation of Ordinance (suggested 90 day period for public information & notification)

