

## Fair Haven parks get smoking bans after marijuana smells, coaches smoking

Written by Susanne Cervenka @scervenka

Oct. 16, 2013 |

app.com

**FAIR HAVEN** — Watch where you step when you light up in Fair Haven's parks — they now have no-smoking sections.

The new ordinance gives smokers wiggle room to finish their cigarettes in paved parking lots and on sidewalks.

Fair Haven's ban allows smoking in the impervious areas of parks, but prohibits it everywhere else in parks. That means people can puff no more at the soccer fields, ball diamonds or on gravel and wood chip-lined walking trails.

Violators could be fined \$25 for the first offense and \$50 for subsequent infractions.

The ordinance was approved after debate over balancing the rights of those who smoke and those who don't.

Lou Jakub, a Fair Haven resident and smoker, said smoking in the parks is not an issue. He said he spends hours over weekends at Fair Haven Fields watching his children play sports. He goes into the woods when he wants to smoke so he's away from children and doesn't leave his cigarette butts behind.

"I think if one chooses to discretely take a smoke break, being on the field for six hours, one should be allowed," he said.

Councilman Rowland Wilhelm agreed, saying the borough was creating regulations to fix an issue that does not exist. Wilhelm, a former smoker, does not think people should smoke, but said that the new ordinance would be difficult to enforce and could take the borough's police officers away from tackling more important crimes.

"Government is acting when there is no compelling reason to act," said Wilhelm, who cast the lone vote against the smoking ban.

"We are about to write an ordinance about an issue that is a non-issue with enforcement issues that will never be enforced," he said.

But Councilman Robert Marchese disagreed, saying there are concerns about smoking in the parks. He said he has seen coaches leave games to have a smoke and has called the borough's police chief about smelling marijuana smoke in the park.

Marchese said the ordinance was written as conservatively as possible, so that it did not prohibit smokers from doing so, but outlined where they can smoke.

"I am a big supporter of personal liberties. Big government has gone too far," he said. "This is not an example of it."

So far, 211 New Jersey municipalities and counties have policies on smoking in parks, more than half of which are outright bans, according to figures reported by the Global Advisors on Smoke Free Policy, a Summit-based anti-smoking organization.

Fair Haven officials sparked an interest in a smoking ban after conversations with their counterparts in neighboring Rumson, which banned smoking altogether in its parks two years ago. That ban came at the request of a then-third-grader, who wrote to her borough council about being bothered by smokers who came for a fireworks show at Victory Park.