

## Denville becomes latest town to outlaw smoking in public parks

Published: Tuesday, July 20, 2010, 7:57 AM    Updated: Tuesday, July 20, 2010, 8:38 AM



**Sarah Schillaci/For the Star-Ledger**



David Gard/New Jersey Local News Service

A bench sits along a fence as the designated smoking area at the Pequannock Valley Park where the township has barred smoking in the rest of the park.

**DENVILLE** — Got a light?

Not in Denville's McCarter Park, you don't.

Last week, the Morris County town passed an ordinance that prohibits smoking in all of the township's public parks and recreational areas and adjacent parking lots and sidewalks.

"I want to ... encourage all of you to be less accepting of smoke addiction," said Denville resident Alex Adams, a 68-year-old former smoker who encouraged the township to pass the ordinance.

In the past month, Union County and Chatham Township have enacted similar bans, joining a growing list of more than 100 municipalities and counties that prohibit lighting up in municipally-owned public spaces. Chatham Borough is seeking to pass one by the end of the summer.

In Denville, a person convicted of breaking the new law faces a fine of up to \$100 or two days of community service. A third offense could bring a \$500 fine and 10 days of community service or jail time.

Karen Blumenfeld, the executive director of anti-smoking advocacy group New Jersey GASP, applauded the measure and said secondhand smoke is just as serious a problem in concentrated outdoor areas as it is in smoke-filled restaurants.

"When people think that secondhand smoke cannot harm people if they're smoking outdoors, it just is not true," Blumenfeld said.

After passing a voluntary no-smoking ban at its municipal parks and recreation areas in 2004, the East Brunswick council enacted a full outdoor ban in 2005. Township administrator James White said there has been no police enforcement of the rule, but most park-goers have

complied.

"I think it's a success story for public health," White said.

Glen Ridge business administrator Michael Rohal said no tickets have been issued for its smoking ban since it was enacted nearly a decade ago. Same goes for West Orange, where smoking is also prohibited at the Oskar Schindler Performing Arts Center.

Last month, Union County freeholders enacted a smoking ban at all county recreation facilities. Union County is the second county to pass such a far-reaching plan, following Bergen County's 2004 law. The Union County law carries a third-offense fine of \$1,000, but county spokesman Sebastian D'Elia said none had yet been issued.

"The bottom line is that exposure to second hand smoke should be a serious health concern for everyone," D'Elia said. "New Jersey has successfully enacted anti-smoking laws in the recent past and the end result is that we are healthier for it."

Not everyone is thrilled with the flood of laws. The Georgia-based International Premium Cigar & Pipe Retailers Association issued a press release denouncing Denville's prohibition last week.

"This is over the top as far as abuse of individual rights goes," said Chris McCalla, the association's legislative director.

And not all towns have jumped on the smoke-free bandwagon.

"Personally, I think it's a little ridiculous," Madison Mayor Mary-Anna Holden said. "It's bad enough they're killing themselves."

Holden said she had not received any complaints regarding smoking in Madison, where there are no municipal smoking bans.

"I think we have bigger problems," Holden said. "If someone's smoking, you walk away from them."

Still, Blumenfeld said having signs erected empowers non-smokers to speak up against secondhand smoke.

"There is no Constitutional right to smoke," she said.

*Local News Service reporter Eugene Paik contributed to this story.*

---

#### **More coverage:**

- **Club smoking ban gets boost in N.Y.C.**
- **N.J. beach-smoking ban is on hold**
- **Beach-smoking ban is aim of three N.J. bills**
- **Greystone hospital smoking ban causes significant drop in heavy-smoking patients**
- **Atlantic City reconsiders casino smoking ban**
- **Smoking ban at N.J. beaches, public parks is lawmaker's goal**
- **Mayor Michael Bloomberg seeks to take N.Y.C. smoking ban outdoors**

© 2010 NJ.com. All rights reserved.