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City Manager

CITY OF CONCORD

REPORT TO MAYOR AND CITY COUNCIL

FROM: Matthew R. Walsh, Director of Redevelopment, Downtown Services, & Special Projects

DATE: January 13, 2020

SUBJECT: Tobacco Ordinance for City Owned Parking Garages

Recommendation:

Accept the following report and set the attached Ordinance amending the Code of Ordinances; Title I, General Code; Chapter 14, Morals and Conduct, Article 14-2, Miscellaneous Police Regulations, Section 14-2-7 Designated Tobacco Non-Use Areas for public hearing on March 9, 2020.

Background:

The City currently regulates use of tobacco and tobacco related products at a variety of municipal facilities.

Specifically, Article 6-1-4 of the Code of Ordinances regulates use of tobacco products at City parks, plazas, and the Beaver Meadow Golf Course. Article 14-2-7 regulates use of these products at City Libraries.

Discussion:

City Administration desires to regulate usage of tobacco related products in the City's three municipally owned parking garages (i.e. State Street, School Street and Storrs Street).

Usage of tobacco products, including electronic cigarettes and vaping devices, has become increasingly problematic at the garages. Specifically, smokers tend to use tobacco products (including electronic cigarettes and vaping devices) inside stairwells and elevators (which are enclosed spaces), as well as covered areas near pay stations, thus creating negative experiences for garage patrons. Littering associated with discarded cigarette butts negatively affects cleanliness of these facilities and creates additional burdens for maintenance staff.

The Parking Committee considered this policy on December 23, 2019. The Committee voted 3 to 2 in favor of banning use of tobacco products in city-owned parking garages.

Implementation of a smoking ordinance is part of a larger, ongoing effort to improve the safety, security, cleanliness, and friendliness of the three City-owned parking garages. The goal of addressing these issues is to make these important economic development facilities more comfortable and welcoming for use by the parking public.

If approved, signage will be posted in each City-owned garage informing the public that tobacco usage in the garage is prohibited.

The ordinance also includes an amendment to make it clear that, with respect to the entrance of the library, the City is not prohibiting smoking in the travel portion of Green Street.