

**MEMORANDUM**

**TO:** Board of Trustees

**FROM:** Indra Winquest  
Interim General Manger

Dee Carey  
Director of Human Resources

**SUBJECT:** Review, discuss and possibly approve Resolution Number 1876, Policy and Procedure Resolution Number 139, No Smoking, except in designated areas, at District Recreational Facilities

**STRATEGIC PLAN REFERENCE(S):** Long Range Principle #1, Resources & Environment  
Long Range Principle #4, Service

**DATE:** April 1, 2020

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**I. RECOMMENDATION**

That the Board of Trustees make a motion to adopt Resolution Number 1876, Policy and Procedure Number 139, No Smoking, except in designated areas, at District Recreational Facilities.

**II. BACKGROUND**

In 2014, the Parks & Recreation District Venue Advisory Team (DVAT) met on multiple occasions regarding removal of smoking at District beach properties. Discussions were had between Staff and the Board of Trustees, however no action was taken. Since 2014, there continues to be smoking at the various District recreational facilities. Following NRS 202.2483.d, Nevada Clean Air Act, we have an obligation to revisit no smoking and enforcement at the District's public recreational facilities. In addition, the currently adopted version of the International Wildland-Urban Interface Code; A104.4 Smoking states: *Where required by the code official, signs shall be posted stating NO SMOKING. Persons shall not smoke within 15 feet (4572 mm) of combustible materials or nonfire-resistive vegetation. Exception: Places of habitation or in the boundaries of established smoking areas or campsites as designated by the code official.* An area of concern is also limiting the negative health impacts or second hand smoke in our recreational facilities where families and young children gather, and further within the Tahoe

environment where healthy living and environmental conscientiousness are major goals. There is an increasing concern with cigarette butts left in the parking lots, sand, grass, picnic areas, walkways and not finding their way to a trash receptacle. With the District investment in Waste Not and other trash handling efforts, to allow for this discrepancy does not sit well with some who value our recreational facilities venues and the healthy lifestyles the District offers. The Staff met with the North Lake Tahoe Fire District (NLTFPD) to discuss the possibilities of a No Smoking resolution and the avenues which the District can take for enforcement with outside agencies along with issues smoking brings to the District and the lake as a whole. If the resolution is adopted, Staff will work with the NLTFPD in designating the appropriate smoking areas, campaigning the change through various channels including but not limited to Recreation Passes, Quarterly, PW News, PIO at NLTFPD, posters, commercials, etc.

### **III. FINANCIAL IMPACT AND BUDGET**

The financial impact will be minimal. Costs will include signage, potential marketing, and receptacles where designated smoking areas are created.

### **IV. ALTERNATIVES**

1. Approve the No Smoking policy with required revisions.
2. Not approve the proposed resolution as submitted.

### **V. BUSINESS IMPACT**

This item is not a "rule" within the meaning of Nevada Revised Statutes, Chapter 237, and does not require a Business Impact Statement.



## POLICY AND PROCEDURE RESOLUTION 139

### RESOLUTION 1876

#### A Resolution for No Smoking, except in designated areas, at all District Outdoor Recreational Facilities

##### Section 1: Rationale

**WHEREAS**, the Incline Village General Improvement District believes that tobacco and vaping use in the proximity of children and adults engaging in or watching outdoor recreational activities at District-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and

**WHEREAS**, the Incline Village General Improvement District has a unique opportunity to create and sustain an environment that supports a non-tobacco norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on District-owned outdoor recreational facilities; and

**WHEREAS**, the Incline Village General Improvement District believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

**WHEREAS**, the tobacco industry advertises at and sponsors recreational events to foster a connection between tobacco use and recreation; and

**WHEREAS**, cigarettes, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the Incline Village General Improvement District's recreational facilities, and pose a risk to toddlers due to ingestion; and pose a serious risk to the quality of the of the environment and the risk of pollution to the source of the community potable water supply, Lake Tahoe.

**WHEREAS**, the Incline Village General Improvement District's Board of Trustees, determines that the prohibition of tobacco and vaping use at the Incline Village General Improvement District's recreational venues, except in designated areas, serves to protect the health, safety and welfare of the residents and guests of the Incline Village General Improvement District.

**WHEREAS**, with reference to the currently adopted version of the International Wildland Urban Interface Code section A104.4 Smoking, the District shall post signs stating **NO SMOKING OR VAPING EXCEPT IN DESIGNATED AREAS**. Additionally, the code official in cooperation with the District will identify the designated areas such that persons shall not smoke within fifteen (15) feet (4,572 mm) of combustible materials or nonfire-resistive vegetation. Exception: Places of habitation or in the boundaries of established smoking areas or campsites as designated by the code official in cooperation with the District. The reference to code official is the North Lake Tahoe Fire Protection District.

**THEREFORE**, be it resolved that tobacco use and vaping is prohibited in outdoor recreational facilities except in designated areas. No person shall use any form of tobacco or vape at or on any District-owned or operated outdoor recreational facilities, except in designated area, including the



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restrooms, spectator and concession areas. These facilities include Incline Beach, Ski Beach, Burnt Cedar Beach, Aspen Grove Community Center, Village Green, Incline Skate Park, Incline Park Ball Fields (1, 2, & 3), Preston Field, Incline Disc Golf Facility, Incline Fitness Trail, Diamond Peak Ski Resort, Incline Village Golf Courses, and Incline Tennis Facility.

#### **Section 2: Enforcement**

1. Appropriate signs shall be posted in the above specified areas.
2. The community, especially facility users and Staff, will be notified about this policy.
3. Staff will make periodic observations of District recreational facilities to monitor for compliance. Additionally, the code official may make periodic observations that will be communicated to the District.
4. Any person found violating this policy may be subject to immediate suspension of recreational privileges in accordance with Ordinance 7.

#### **Section 3: Marijuana Use**

This resolution is silent on the use of marijuana because Nevada law prohibits a person from smoking or otherwise consuming marijuana in a public place. See Nevada Revised Statute Chapter 453D and related regulations; see also official state information about marijuana in Nevada here: <http://marijuana.nv.gov/Legal/PossessionAndConsumption/>

#### **Section 4: Effective Date**

This resolution is effective immediately on the date passed by the Incline Village General Improvement Board of Trustees which is April 1, 2020.

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Passed by the following vote:  
**AYES**, and in favor thereof, Trustees  
**NOES**, Trustees  
**ABSENT**, Trustees

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Tim Callicrate, Chairman  
IVGID Board of Trustees

Attested to:

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Susan A. Herron  
District Clerk