



## POLICY AND PROCEDURE RESOLUTION 139

### RESOLUTION 1876

#### A Resolution for No Smoking, except in designated areas, at all District-Owned and Operated 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 and operated 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-owned and operated facilities, 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 District-owned and operated facilities except in designated areas. No person shall use any form of tobacco or vape at



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or on any District-owned or operated facilities, except in designated area, including the restrooms, spectator and concession areas. These facilities include, but are not limited to, 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-owned and operated 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 Callicrate, Dent, Morris, Schmitz, and Wong

**NOES**, None

**ABSENT**, None

*/s/ Tim Callicrate*

Tim Callicrate, Chairman  
IVGID Board of Trustees

Attested to:

*/s/ Susan A. Herron*

Susan A. Herron  
District Clerk