



**INDIAN RIVER COUNTY, FLORIDA**  
**AGENDA ITEM**  
**Assistant County Administrator /**  
**Department of General Services**  
**Parks and Recreation**

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**Date:** October 10, 2022

**To:** The Honorable Board of County Commissioners

**Through:** Jason E. Brown, County Administrator  
Michael C. Zito, Assistant County Administrator  
Beth Powell, Parks and Recreation Director

**From:** Gustavo Vergara, Parks and Recreation Asst. Director

**Subject:** Permission to Advertise Amending Indian River Code Chapter 205. – Parks and Recreation

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**BACKGROUND:**

On June 17, 2022, Governor Ron DeSantis amended the Florida Clean Indoor Air Act (FCIAA) by signing House Bill 105 (“HB 105”) which allows cities and counties to restrict smoking on City and County-owned public parks, excluding unfiltered cigars. This bill allows counties and municipalities to restrict smoking within public beach and park boundaries under their ownership.

Cigarette butts are the predominant pollutant on our coastal beaches. From January 2022 to October 2022, over 22,000 cigarette butts were cleaned up from the Indian River County’s beaches. Cleanups like those conducted by the Weekly Wednesday Warriors, International Coastal Cleanup, and quarterly cleanups report cigarette butts, cigarette tips, E cigarettes, and tobacco packaging as the most common pollutant on our beaches. Cigarette butts, particularly the filters, can take anywhere from 18 months to 10 years to degrade. Inland parks and conservation areas are also affected negatively by litter produced from cigarettes and vaping devices.

Staff requests that the Board of County Commissioners consider an update the County ordinance for Parks and Recreation which would make park and conservation boundaries smoke free. In order to accomplish this task, Section 205 of the Indian River County Code would have to be amended to make smoking and vaping in parks and conservation areas a prohibited activity.

**FUNDING:**

The cost to amend this section of the code will be advertising in the Press Journal, and if approved, replacement signage which is a budgeted item in the General Services – Parks general operating budget. Advertising costs are estimated to be less than \$200.00 and funds are budgeted and available from Account # 00121072-034910 General Services/Parks/Legal Ads.

**RECOMMENDATION:**

Staff recommends the Board approve advertisement of the amendment to the IRC Code to prohibit smoking and vaping (excluding unfiltered cigars) in public parks and beaches. A Public Hearing on the amendment will be held before the Board of County Commissioners on November 1, 2022.

Approved Agenda Item for October 18, 2022.