



Written by [Dave Bohon](#) on February 14, 2011

## New York City Bans Smoking in Parks, on Beaches

While communities across the nation have taken steps over the past year or two to mandate that their public buildings be smoke free, the City of New York has taken the anti-smoking crusade one step further. In early February its City Council approved a bill banning smoking in the city's 1,700 city parks and along its 14 miles of city beaches.

Calling it the most significant expansion of antismoking laws since Mayor Michael R. Bloomberg pushed to prohibit smoking in restaurants and bars in 2002, the [New York Times](#) quoted Council speaker Christine C. Quinn as declaring that the ban was an affirmation of the rights of non-smokers. Their health and their lives should not be negatively impacted because other people have decided to smoke, Quinn said during a news conference following the vote.



While the measure passed by the overwhelming majority of 36-12, there were some strong opinions within the City Council against the bill, which opponents insist infringes unnecessarily on the personal liberties of those who wish to smoke. Were moving towards a totalitarian society if in fact were going to have those kinds of restrictions on New Yorkers, Council member Robert Jackson, himself a non-smoker, told reporters.

Another Councilman, Daniel J. Halloran III, warned that with the passage of the latest smoking ban, we will next be banning smoking on sidewalks, and then in the cars of people who are driving minors and then in the homes.

Mayor Bloomberg, who is expected to enthusiastically sign the bill into law, said in a statement that the added strictures will mean that this summer New Yorkers who go to our parks and beaches for some fresh air and fun will be able to breathe even cleaner air and sit on a beach not littered with cigarette butts.

The *Times* noted that the new law will not be enforced by the city's police force, but by officers of the Department of Parks and Recreation, who will be empowered to fine smokers \$50 for each offense.

But Bloomberg speculated that in large part the ban will be enforced by good citizens gently encouraging smokers to be considerate of others. This is going to be enforced by public pressure, the mayor insisted, adding that it's just everybody's going to turn to you and say, Hey, you shouldn't be smoking, [and] you know, most people listen to that.

In its own editorial, the *New York Times* blasted Bloomberg and the City Council for overreaching in passing the ban, asking rhetorically, No smoking at the crossroads of the world? The vortex of tourism



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that brings smokers and nonsmokers in great numbers? The site of the worlds most famous New Years Eve party, where who knows what goes on? All of this takes the mayors nannying too far, even for those of us who want to avoid the hazards of secondhand smoke.

Noting rumors that the mayor and the City Council want even more, such as banning smoking near doors of office buildings and apartments, the editorial suggested that Bloomberg and Co. need to take a deep breath and remember that we tried prohibition 90 years ago. They called it a noble experiment. It turned into a civic disaster.

Meanwhile, the city of Boston may soon follow New York in banning smoking in parks and on beaches. According to the [Boston Globe](#), city council members Felix Arroyo and Salvatore LaMattina, who both suffer from asthma, took the first step toward a ban [on February 8] by filing an order for a public hearing on their measure, which would still allow smokers to puff on sidewalks.

Arroyo said that he wanted public places to be smoke-free so that everyone can enjoy our parks, can enjoy our beaches, can enjoy our public spaces without injury to their health. We dont want to expose our young children at the tot lot. We dont want to expose families at the beach to smoke.

But one expert who supports a ban on smoking in public buildings, Dr. Michael Siegel of the Boston University School of Public Health, was quoted by the *Boston Globe* as conceding that in a wide-open space like a park or a beach there is no necessity for the government to step in and regulate smoking, because nonsmokers can easily avoid exposure.

Siegel expressed his concern that if there is a continued push for laws that are no longer justified on public health grounds, the public may begin to view us as zealots who are simply trying to get rid of smoking everywhere.



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