

Report on Tobacco Policies in Local Parks

January 2014

About public health policy reports:

Public Health - Seattle & King County monitors the local policy environment to identify what policies are in place, how they may vary across jurisdictions and institutions, and identify opportunities for further policy development or research. This report is part of an occasional series. See our website for additional reports and interactive policy maps.

Background:

Parks are important community assets. Prohibiting tobacco use in public recreational venues can make it easier for smokers to quit, helps to de-normalize smoking behaviors¹, especially for youth park users, and decreases secondhand smoke exposure and tobacco litter. In 2013, Public Health-Seattle & King County's Assessment, Policy Development and Evaluation Unit collected and coded policies that restrict tobacco use in parks, with the aim of making this information available to policymakers, researchers, stakeholders and the general public.

The policy environment was assessed for the 38 cities in King County that regulate conduct in local parks owned by that local jurisdiction. City policy is set by the city council, or authority is delegated to the agency that oversees parks and recreation. King County government also has a relatively

new policy that restricts tobacco use in high-use areas in King County-owned parks



(KCC 7.12.435), covering 200 parks in both unincorporated areas and incorporated cities of the county. The county-wide law is not included in this research on the policy environment at the sub-county level.

Findings:

Parks’ Tobacco Policies on the Increase:

Twelve cities (out of 38 cities² with local parks in King County) had tobacco-use policies³ in 2013 (up from five in 2010). These included: Black Diamond, Bothell, Burien, Covington, Kirkland, Normandy Park, SeaTac, Seattle, Shoreline, Snoqualmie, Woodinville, and Tukwila. Research showed that a few cities informally post signage without a policy, e.g. Auburn and Mercer Island. Enacted city park tobacco policies cover a total of 925,250 residents or slightly more than half (54%) of King County residents.



Relatively Few Cities Have 100% Smoke-Free Policies for Parks, but these Policies Are Increasing: Four King County cities prohibited all smoking in 100% of their parks (“100% smoke-free”) in 2013 (up from none in 2010): Bothell, Burien, Shoreline, and Woodinville, covering eight percent of King County residents or 130,130 people.

Higher Number of North King County Cities with 100% Tobacco-Free Policies:

Three of four cities with 100% smoke-free policies in 2013 were in the northern part of the county (Bothell, Shoreline, and Woodinville), while one was in the south (Burien).⁴

Areas with High Smoking Disparities

Starting to Address Tobacco in Parks: Four cities in South King County had tobacco policies for their parks in 2013, including two new policies since 2010. Five cities had no tobacco policies for their parks: Auburn, Des Moines, Federal Way, Kent, and Renton (though Auburn reports utilizing signage). SeaTac still allows smoking in 4 parks and Tukwila excludes 1 park. Tobacco rates are higher in South King County than in the rest of the county.

South King County Parks’ Tobacco Policies

Cities with Tobacco Policies	Cities without Tobacco Policies
Black Diamond	Auburn
Burien [100% smoke-free]	Algona
Covington	Des Moines
Normandy Park [100% smoke-free]	Federal Way
Tukwila* *Excludes one park and “discourages” but does not prohibit outright adult use	Kent
SeaTac* *some parks only	Renton

Majority of Cities Have No Tobacco Policies for Parks:

A majority (26 cities) in King County had not enacted tobacco-use policies for their parks in 2013, as found through

review of city municipal codes and contact with city officials.

Most Cities with Policies have Enforcement Provisions: In 2013, all twelve cities with tobacco policies specified some type of enforcement mechanism. Four have only voluntary enforcement for adult use (meaning that citizens may politely request tobacco users to cease).

The rest had enforcement mechanisms ranging from expulsion, fines, to misdemeanor penalties (criminal penalties) and some had multiple enforcement mechanisms defined (usually a combination of possible expulsion and fines). Only one policy actually specified the type of behavior that is prohibited, which might include inhaling, spitting, chewing, etc.



Kirkland, SeaTac, Woodinville, Tukwila⁵ and Covington (42% of cities with policies) differentiated tobacco-use enforcement measures from enforcement of other types of park conduct (i.e., littering, alcohol use, etc.). The remainder enforced their tobacco policy in the same manner as other provisions in their parks' code of conduct.

Eight out of twelve (67%) tobacco-use policies were codified in municipal code, while the remaining four (33%) issued rules through the city's parks and recreation authority.

Parks' Policy Provisions Still Allow Smoking in Most Park Areas: For the eight cities that had policies but were not 100% tobacco-free in 2013, one city allows smoking only in designated smoking areas (Covington), while other cities prohibit smoking only in non-smoking areas (Black Diamond, Kirkland, Normandy Park, SeaTac, Seattle, Snoqualmie).

Some cities specify specific areas that are non-smoking, such as trails, woods, playgrounds.

Snoqualmie prohibits smoking at athletic fields, playgrounds, picnic shelters, restrooms and anywhere else with a sign. Seattle also prohibits smoking within 25 feet of other patrons, at play areas, on beaches, playgrounds and picnic areas. SeaTac prohibits smoking in 100% of park areas, but exempts four parks.

No cities explicitly restrict e-cigarette use.

No city policies ban or restrict e-cigarette use, though Burien's policy "discourages" their use. (Note, however, that the King County Code bars "vaping" or use of personal vaporizer devices such as e-cigarettes anywhere that smoking is otherwise prohibited.)

Signage Provisions Limited: Only four cities' policies include any type of signage requirement in their policies, although as

Findings (Continued)

noted above, local parks and recreation departments are typically permitted to issue signage without statutory authority. The City of Burien requires signage on beaches, trails and in all parks⁶, and two cities require signage at playgrounds or play areas (Seattle and

Kirkland)⁷. Tukwila’s procedures note that the Parks and Recreation Department will encourage compliance through signage, and “prominently post and maintain” signage in all parks and trails.

Conclusions

In general, there is wide variation in city policies vis-à-vis tobacco use in parks, ranging from full prohibition to none. Many policies are fairly simple; they are not specific about what type of tobacco use (smoked, smokeless and/or e-cigarettes) is prohibited – usually defaulting to “smoking” – or about how the law is to be implemented.

The majority of cities with tobacco-use policies include smoking in an itemized list of general prohibited behaviors in the parks, without offering specifics as to types of regulated products or behaviors. The bulk of these cities utilize the same enforcement mechanisms for tobacco use as for other park infractions (i.e., camping and littering).

Nor do most policies stipulate that signage be placed in parks, although signage may be installed without statutory or policy language.

It is unclear whether those policies lacking specificity complicates enforcement, or what implications it may have for norm/behavior change, particularly among youth, who are at greater risk for tobacco use if they perceive smoking to be normalized.

A greater proportion of cities in North King County had tobacco-use policies and 100% smoke-free policies in 2013 than in the southern or eastern portion of the region. This is particularly significant because the highest rates of tobacco use among adults and school-aged youth are in South King County.⁸



Methods:

To determine which variables to include in our coding, we reviewed the model parks policy developed by Americans for Non-Smokers Rights (ANR). Based on the ANR's provisions, and in consultation with experts on tobacco policy, we developed a set of 38 questions. We collected policies for each of the 38 localities with parks (identified through the King County Department of Environmental Services) using the freely accessible Municipal Research and Services Center (MRSC) online database of municipal codes.⁹

Reach for the extent of coverage of policies was calculated by using total city population, based on 2013 Washington Office of Financial Management, and include all annexation effective at the time of coding.¹⁰ When we were unable to find policies online, we confirmed that none exists by contacting city officials. We test-coded a small sample of policies to confirm appropriate question language, made necessary revisions, and proceeded to code the remainder of the policies. Inter-rater reliability testing resulted in 84% agreement.

Divergences were discussed and addressed by again revising questions for clarity, and the agreed-upon codes were entered into the LawAtlasSM system.

The resulting LawAtlasSM webpage displays a subset of the 38 questions, chosen based on perceived level of stakeholder interest, and allows a user to manipulate a map of King County using a set of queries. A "slider bar" permits the user to adjust the year to show change over time in the number, scope and complexity of park policies. This system will also allow future updates, creating an ongoing policy surveillance system, if feasible. Although we included policies in our dataset that were significantly older, for simplicity we chose to limit the number of years available for query to between 2010 and 2013. Policies are current through August of 2013.

Programmatic practices such as placement of signage where no formal policy was enacted were not considered a "policy" for purposes of this research. Park Districts outside of municipal areas (such as Vashon) were excluded, but may be added to the dataset later.

The entire dataset, codebook and protocol is available at www.kingcounty.gov/health/PolicyTracker.

Acknowledgements

This issue of Policy Reports was produced by the Assessment, Policy Development & Evaluation Unit, in conjunction with the Prevention Division's Tobacco Program, by Laura Hitchcock, JD, with support from Amy Laurent, MSPH, Nancy McGroder, BA, Eli Kern, MPH, RN/BSN, Scott Neal, MBA, and Paul Zemann, BA. Special thanks for data collection, coding and analysis goes to Patricia Atwater, MOPH Candidate, University of Washington School of Public Health.

For more information and updates, contact data.request@kingcounty.gov and visit www.kingcounty.gov/healthservices/health/data, where you can subscribe to e-alerts to receive future policy and other reports and announcements and to utilize the online King County LawAtlasSM system.

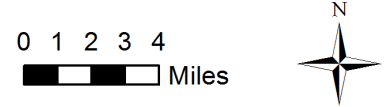
End Notes

1. Social Norms and Attitudes About Smoking. (2011, April). Social Norms and Attitudes About Smoking. *Robert Wood Johnson Foundation Commission to Build a Healthier America*. Retrieved October 4, 2013, from <http://www.rwjf.org/content/dam/web-assets/2011/04/social-norms-and-attitudes-about-smoking>
2. The Town of Beaux Arts does not have any public parks.
3. Most park policies do not account for nuances in types of tobacco products (i.e., nicotine products like e-cigarettes, smokeless vs. smoked products, etc.). Unless otherwise noted, we use the terms “tobacco” and “smoking” interchangeably to signify that at least smoking is prohibited. The visual representation of the data in LawAtlasSM allows the user to choose which types of products are governed by a policy when putting together a query.
4. Normandy Park’s policy changed to 100% Smoke-Free after the research for this report was conducted, while Tukwila’s policy “discourages” but does not prohibit use, for adults.
5. Tukwila’s policy varies between adult use and youth use. Adult use is “discouraged” and youth use is “prohibited” with the youth use prohibition listed as an infraction enforceable under the Tukwila Municipal Code. Tukwila Municipal Code, 12.08.110.
6. Note that Burien’s signage language stipulates wording that “smoking is discouraged.”
7. Public Health – Seattle & King County also recently distributed grants to several cities in King County for signage to be installed in parks covered by their local ordinances.
8. 13% of all Seattle residents are current cigarette smokers, while the corresponding percentage is between 14% and 20% of residents in South King County communities.
9. Note that cities may have a policy that has not yet been sent to MSRC and is therefore not included in our dataset of August, 2013. Future updates to this dataset will include subsequent policies.
10. 2013 population figures are from the Office of Financial Management, last accessed on 1/7/2014. http://www.ofm.wa.gov/pop/april1/ofm_april1_population_final.xlsx

Tobacco Policies, Cities in King County, WA as of August 2013

Legend

- 100% tobacco-free in all park/park areas
- Partial smoking or tobacco use prohibition
- Unincorporated King County - covered by King County partial tobacco use prohibition
- Smoke-free signage (no policy)
- No policies



Data Source: Public Health – Seattle & King County, LawAtlasSM policy tracking tool, available at www.kingcounty.gov/health/PolicyTracker

Produced by: Public Health - Seattle & King County; Assessment, Policy Development & Evaluation Unit, 1/10/2014

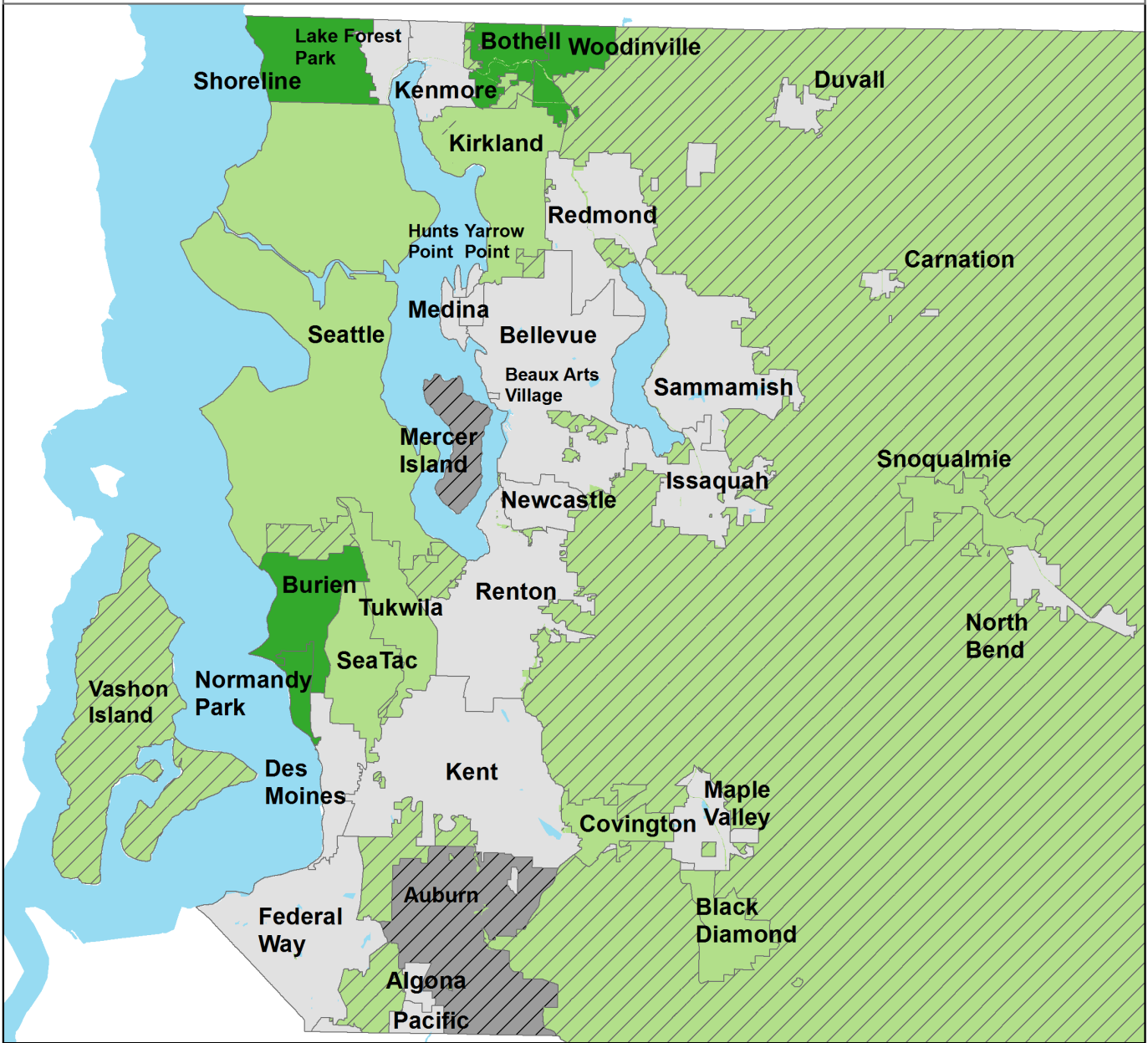


TABLE 1: Where is smoking prohibited in city and county parks in King County, Washington (2013)

	Bothell	Woodinville	Shoreline	Burien	Tukwila*	Black Diamond	Covington	Kirkland	Normandy Park**	SeaTac*	Seattle	Snoqualmie
100% of park areas	X	X	X	X	X				X	X		
Prohibited everywhere except designated smoking areas (not defined)						X	X					
Playgrounds /play areas											X	X
Beaches											X	
Athletic fields												X
Away from other patrons											X 25 feet	
Prohibited except in designated parks					X *1 park exempt					X *4 parks exempt		
Picnic shelters												X
Restrooms												X
"Children and Youth Area" (areas heavily used by children/youth)								X				
Signed "no smoking" areas												X
"Woods" (not defined)									X			
Roads									X			
Trails									X			

*SeaTac exempts 4 parks (and allows smoking/tobacco use). All other parks in SeaTac are 100% smoke-free. Tukwila exempts one park.

**Normandy Park became 100% smoke-free after research for this report was complete.