



Parks and Conservation Resources

Beach Smoking Bans

Off Leash Dog Rules

Paul Cozzie

Parks & Conservation Resources

Smoking Bans

F.S. Chapter 386, Part II:

“counties and municipalities may further restrict smoking within the boundaries of any public beaches and public parks that they own, except that they may not further restrict the smoking of unfiltered cigars. A municipality may further restrict smoking within the boundaries of public beaches and public parks that are within its jurisdiction but are owned by the county, unless such restriction conflicts with a county ordinance, except that they may not further restrict the smoking of unfiltered cigars” - effective July 1, 2022

Beach Smoking Bans

Reasons to Institute a Smoking Ban at County Beach Parks:

1. Litter Reduction
2. Clean Water/Reduction of Microplastics
3. Wildlife and Fishery Protection



Beach Smoking Bans

What Are Other Communities Doing?

- **Peer Beach Community Surveys**
 - Sarasota, Lee, Broward, Brevard, Palm Beach, Martin, Volusia, Escambia, Flagler, Okaloosa, and Walton Counties are not currently proposing beach smoking bans, Miami-Dade and Manatee Counties are looking at options for future consideration
 - Staff discussed the issue at the Big-C meeting on August 31, 2022 and was informed many BIG-C municipalities have ordinances pending

Beach Smoking Bans

Current Smoking Bans in Effect:

- City of Indian Harbour Beach, Brevard County
 - Prohibits smoking at municipal public parks and beaches
- Town of Palm Beach, Palm Beach County
 - Prohibits smoking at municipal public parks and beaches
- City of Fernandina Beach
 - Prohibits smoking at municipal public parks and beaches
- City of St. Augustine
 - Prohibits smoking at municipal parks and swimming pools
- Several other municipalities are considering bans, including St. Petersburg, Sarasota, Miami Beach, Vero Beach, Boca Raton and Delray Beach

Beach Smoking Bans

Considerations for a County Beach Smoking Ban in Pinellas County:

- Would only affect beach parks managed by the County: Fort De Soto, Sand Key and Fred Howard
- Restrictions would only be placed in areas of the sandy beach and dune environment
- Beach access parks co-managed with municipalities would set their own rules
- Initial emphasis would be on education, signage and voluntary compliance
- Enforcement responsibilities would be role of Park Rangers, not local law enforcement
- Would be codified through update of County Ordinance, Chapter 90

Beach Smoking Bans

Parks and Conservation Resources Advisory Board:

(August 18, 2022)

The Advisory Board advised this is a litter and environmental issue. They are in favor of a smoking ban for beach parks managed by the county - Sand Key, Fort De Soto and Fred Howard - limited to the sandy beach and the dune environment.

5 yay, 1 nay - Motion passed



Off Leash Dog Rules



Off Leash Dog Rules in County Parks



Background:

- March 2022: Incident at John Chesnut Sr. Park concerning unleashed dog
- April 2022: Citizen brought complaint to the BCC against dog leash rule, referred to Parks and Conservation Resources Advisory Board
- May 2022: Citizen personally brought issue to Parks & Conservation Resources Advisory Board; staff to report back at August 2022 meeting
- Staff was asked to look at how these issues are handled elsewhere; alternatives and options including allowing dogs off leash within county parks; or providing for certain hours to allow dogs off leash in County parks

Off Leash Dog Rules in County Parks



County Code, Chapter 90-7(I)(2,5):

- *Within parks, department-managed facilities, and public marinas, pets shall be caged or on an adequate leash not greater than six feet in length. Pets shall not be left unattended or off of a leash except in designated areas posted by signage*
- *Except where expressly allowed, no pets are permitted in any playgrounds, swimming areas, beaches, boardwalks, bathrooms, showers, and dining areas. The department may designate further areas where pets are prohibited. Those persons in possession or control of pets within any county-owned or managed land shall obey all county ordinances including but not limited to chapter 14 of the Code except where chapter 14 is less restrictive than the provisions of this article*

Off Leash Dog Rules in County Parks

Why are dogs not allowed off leash in County parks?

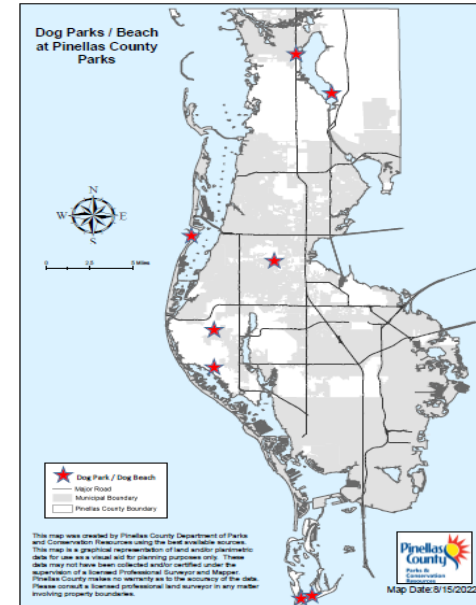
- Increases chance of conflict between dogs and/or dog owners
- Many people have a fear of dogs
- Increases chance of patrons being bitten by a dog
- Dogs can harass wildlife and negatively impact environment
- Not safe for dogs (alligators, snakes, vehicles, other dogs)
- Liability concerns



Off Leash Dog Rules in County Parks

Dogs Are Currently Allowed Off Leash at County Dog Parks

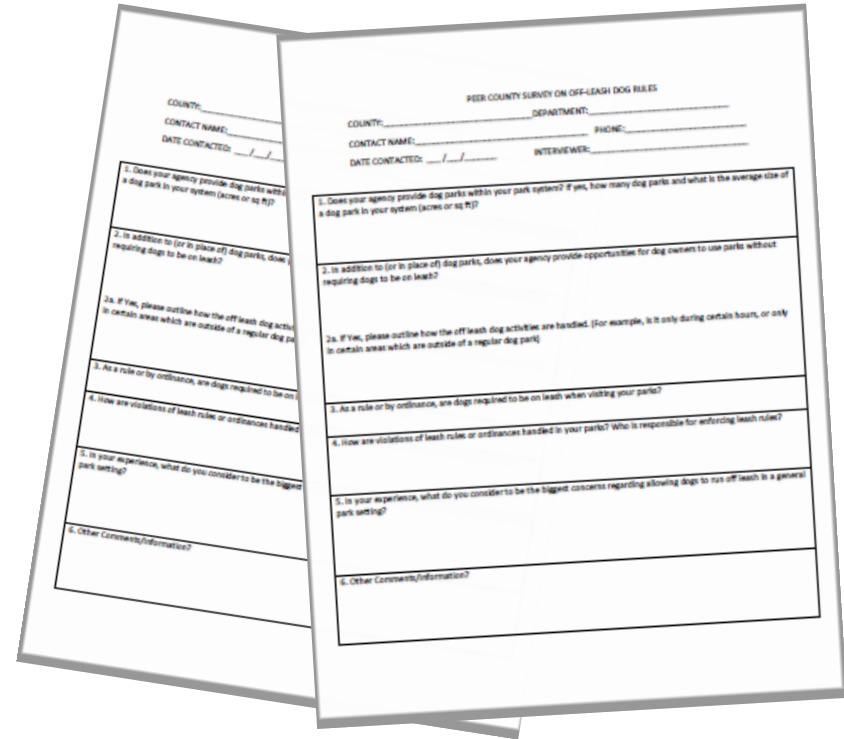
- A.L. Anderson Park
- John Chesnut Park
- Sand Key Park
- Eagle Lake Park
- Walsingham Park
- Boca Ciega Park
- Fort De Soto Park
- Fort De Soto Dog Beach



Off Leash Dog Rules in County Parks

Data Gathering Process:

- Posted question to State Professional Association (Florida Recreation and Parks Association) User Forum: "Does your agency allow for dogs to be unleashed within your park system outside of designated dog parks?"
- Queried each of the municipal parks and recreation agencies within Pinellas County
- Conducted peer survey of Florida county parks and recreation agencies

Two survey forms are shown, one slightly behind the other. Both are titled "PEER COUNTY SURVEY ON OFF-LEASH DOG RULES". Each form has a header section with fields for "COUNTY:", "CONTACT NAME:", and "DATE CONTACTED:". The right form also includes fields for "DEPARTMENT:", "PHONE:", and "INTERVIEWER:". Below the header, the forms contain a series of numbered questions:

1. Does your agency provide dog parks within your park system? If yes, how many dog parks and what is the average size of a dog park in your system (acres or sq ft)?
2. In addition to (or in place of) dog parks, does your agency provide opportunities for dog owners to use parks without requiring dogs to be on leash?
- 2a. If Yes, please outline how the off-leash dog activities are handled. (For example, is it only during certain hours, or only in certain areas which are outside of a regular dog park?)
3. As a rule or by ordinance, are dogs required to be on leash?
4. How are violations of leash rules or ordinances handled?
5. In your experience, what do you consider to be the biggest concern regarding allowing dogs to run off-leash in a general park setting?
6. Other Comments/Information?

Off Leash Dog Rules in County Parks



Findings:

- Query to Florida Recreation and Parks Association online forum received no affirmative responses
- Peer County responses received from Alachua, Brevard, Broward, Escambia, Flagler, Hillsborough, Palm Beach, Lee, Marion, Martin, Miami-Dade, Orange, Pasco, Sarasota, Seminole, and Volusia. None allowed dogs off leash in parks except in designated dog parks
- Only one municipality allows dogs to be off leash outside of designated dog parks. City of Dunedin has a small area within Hammock Park for off leash dogs during designated a.m. and p.m. hours

Off Leash Dog Rules in County Parks

Parks and Conservation Resources Advisory Board:

(August 18, 2022)

A motion was made to continue with the current policies established by County Code, Chapter 90-7 (I) (2,5)

- *Within parks, department-managed facilities, and public marinas, pets shall be caged or on an adequate leash not greater than six feet in length. Pets shall not be left unattended or off of a leash except in designated areas posted by signage*
- *Except where expressly allowed, no pets are permitted in any playgrounds, swimming areas, beaches, boardwalks, bathrooms, showers, and dining areas. The department may designate further areas where pets are prohibited.*

6 yay, 0 nay - Motion passed unanimously

