

RESOLUTION NO. 2097-11

**A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA REGARDING
THE NEGATIVE IMPACT OF SECONDHAND SMOKE**

WHEREAS, according to the Centers for Disease Control and Prevention, United States Department of Health and Human Services (hereinafter the "CDC"), tobacco use is the leading preventable cause of disease, disability and death in the United States; and

WHEREAS, the adverse health effects of cigarette smoking account for an estimated 443,000 deaths, or nearly one of every five deaths, each year in the United States; and

WHEREAS, smoking causes coronary heart disease, the leading cause of death in the United States, lung cancer, leukemia, bladder cancer, cancer of the cervix, cancer of the esophagus, kidney cancer, stomach cancer, cancer of the uterus and other forms of cancer; and

WHEREAS, secondhand smoke causes lung cancer, heart disease, ear infections, and respiratory illnesses, among other ailments, and is especially harmful to children; and

WHEREAS, secondhand smoke causes serious health problems for children, including bronchitis, asthma, pneumonia, ear infections, and sudden infant death syndrome (SIDS); and

WHEREAS, an estimated 88 million nonsmoking Americans, including 54% of children aged 3 to 11 years, are exposed to secondhand smoke, and as a result of this exposure, each year an estimated 3,000 nonsmoking Americans die of lung cancer, more than 46,000 die of heart disease, and as many as 300,000 children younger than 18 months suffer from lower respiratory tract infections; and

WHEREAS, every year, an estimated 56,400 nonsmoking Americans - including several Winter Park residents - die from heart disease and lung cancer caused by secondhand smoke; and

WHEREAS, the City Commission of the City of Winter Park, Florida (hereinafter the "Winter Park City Commission"), hereby finds and declares that scientific evidence overwhelming and conclusively finds that secondhand smoke is a serious risk to public health; and

WHEREAS, the Winter Park City Commission hereby finds and declares that the public health risks associated with secondhand smoke are preventable; and

WHEREAS, the Winter Park City Commission hereby finds and declares that it is especially important to protect children from secondhand smoke, and that because children often play in public parks, these places are particularly vulnerable to the negative health impacts of secondhand smoke; and

WHEREAS, the Winter Park City Commission hereby finds and declares that children enjoying public parks should enjoy the right to be free from exposure to secondhand smoke.

NOW, THEREFORE, BE IT RESOLVED BY THE WINTER PARK CITY COMMISSION OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. SECONDHAND SMOKE IN PUBLIC PLACES. The Winter Park City Commission hereby urges all residents to consider the public health hazards associated with secondhand smoke and not to smoke where children commonly play.

SECTION 2. HOME RULE. The Winter Park City Commission hereby urges the Florida Legislature to support local home-rule power over municipally-owned property, especially public parks and other public places where children play.

SECTION 3. NOTICE TO LEGISLATIVE DELEGATION. The Winter Park City Commission hereby directs that copies of this resolution be delivered to each member of Orange County's legislative delegation.

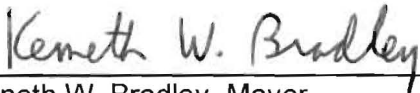
SECTION 4. SEVERABILITY. If any provision of this resolution or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable.

SECTION 5. REPEAL. All resolutions or parts of resolutions previously adopted and in conflict with this resolution are hereby repealed.

SECTION 6. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this resolution by filing a corrected copy of this resolution with the City Clerk.

SECTION 7. EFFECTIVE DATE. This resolution takes effect immediately upon adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 28th day of November, 2011.



Kenneth W. Bradley, Mayor

ATTEST: 

Cynthia S. Bonham, City Clerk