
Sec. 10-13. Smoking of cigarettes, filtered cigars, and smoking of pipes and other smoke inhalation devices prohibited; enforcement, remedies and penalties.

- (a) The smoking of cigarettes, filtered cigars, pipes or any other devices that can be used to inhale smoke from a burning tobacco product on any city owned public beach or within any city owned public beach park is prohibited at all times, except in designated smoking areas, as determined by resolution adopted by the city commission of the City of Sarasota. For purposes of this section, a "beach" is defined as: a sandy or rocky area along the shoreline of the Gulf of Mexico or Sarasota Bay located waterward or seaward of the vegetation line or a bluff and that is owned by the City of Sarasota and open to the public; and a "public beach park" is defined as: any public parkland contiguous to a beach or separated by a roadway from a beach, including parking areas associated with the public beach park and owned by the City of Sarasota and open to the public.
- (b) The term "smoking" as used in this section 10-13 shall have the same meaning as in the Florida Clean Air Act. That is, the term "smoking" shall mean "inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted product."
- (c) Notwithstanding any other provisions of this article for enforcement or penalties, the city may also enforce this article by actions at law or in equity for damages and injunctive relief.
- (d) Any person who violates this section 10-13 shall be subject to a penalty as provided in section 1-11 of the City Code, plus any additional costs imposed by state or local law, including court costs that may be imposed as provided by law.

(Ord. No. 08-4797, § 2-19-08; Ord. No. 22-5446, § 1, 10-3-22)