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Is Boston enforcing any of its recent tobacco bans?

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This spring, Boston became the second US city to ban the use of smokeless tobacco at sporting events.

By **Matt Rocheleau**

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Boston has taken a number of steps in recent years to try to curb tobacco use in public places.

This spring, it became the second US city to ban smokeless tobacco use at sporting events. In late 2013, it joined a half-dozen other major cities when it outlawed smoking in parks. In the fall of 2012, the city became the largest in the country to ban smoking in public housing.

So have any of those bans actually been enforced?

The short answer is yes, but enforcement often happens in the form of oral or written warnings, rather than costly fines or other heavy-handed measures.

■ **Smokeless tobacco ban at sporting events:**

Effective April 1, Boston [banned](#) the use of smokeless tobacco and other tobacco products at professional and amateur sports venues, including Fenway Park.

Violators can be fined up to \$250 per offense.

A Boston police spokesman, Lieutenant Detective Michael McCarthy, said no violations have been cited at Fenway Park.

He said the department cannot say if citations have been issued at other sports venues.

“We don’t track those numbers,” he wrote in an e-mail.

“However, the intent of the ordinance is to educate the public on the dangers of using this type of product,” he added.

When the ban began, police said they expected to issue warnings, as opposed to collecting fines, in most cases.

Red Sox spokesman Zineb Curran said in an e-mail that security officials at Fenway have “provided [oral] warnings to a number of fans during the 2016 season.”



A Major League Baseball spokesman, Michael Teevan, said in an e-mail that league officials are not aware of any players or league personnel who have violated any local smokeless tobacco laws in Boston or in other cities that have similar bans.

(The principal owner of the Red Sox, John Henry, also owns The Boston Globe.)

■ **Smoking ban in parks:** Effective Dec., 30, 2013, the smoking of tobacco, marijuana, or other materials was [banned](#) in city-run parks.

Violators are subject to a \$250 fine per citation.

Park rangers issued a total of 127 fines — worth \$31,750 collectively — between June 2014 and June 2016, said Ryan Woods, a spokesman for the city’s parks department. Fourteen fines were issued for smoking marijuana.

Rangers issued another 92 written warnings and an untold number of oral warnings for smoking in parks, he said.

Rangers typically “ask the person to extinguish the cigarette and only fine if they refuse to comply or are repeat offenders,” Woods wrote in an e-mail.

“Many of the offenders are tourists walking through the parks. Many tourists do not know of the ordinance,” he said, and, once told, they “have been compliant.”

Of the 219 fines and written warnings, the vast majority, 171, were issued on Boston [Common](#), officials said. The next-most common spot was the Public Garden, where 22 were issued.

It’s possible the total number of people cited is higher. Woods said that’s because rangers do not patrol many smaller neighborhood parks. Police would handle enforcement in those areas, and they may have also ticketed people smoking in larger parks where rangers patrol.

However, McCarthy, the police spokesman, said via e-mail: “BPD does not track that data.”

■ **Smoking ban in public housing:** Effective Sept. 30, 2012, the Boston Housing Authority [banned](#) smoking inside its residential buildings and within a certain distance outside of them.

Violators are subject to a fine of up to \$250 and can even be evicted for failing to comply.

The authority provided enforcement statistics dating only to last fall, when it began “to take more aggressive actions with respect to violations.”

The authority said it received 119 reports of violations between November 2015 and mid-July. A dozen led housing authority staff to hold a meeting with the alleged violators to remind them of the no-smoking policy.

But no tenants went further in the disciplinary process, which would be triggered by subsequent violations and would include at least one additional meeting, a potentially hefty fine, and, as a last resort, eviction.

Officials said they hope to get people to comply before reaching the point of fines or evictions.

The goal is “to prevent secondhand smoke from occurring in our properties,” BHA spokeswoman Lori Nelson said in an e-mail.

Meanwhile, other bans on smoking have been in place in Boston for years.

A smoking ban has been in place on

The MBTA for decades has banned smoking, said spokesman Joe Pesaturo. Violators face \$25 fines per offense, he said.

He said 2,677 such citations — or \$66,925 worth — were issued between the start of 2014 and the end of June 2016, though the figures include citations written at T properties outside of Boston.

In 2003, Boston banned smoking indoors at all workplaces, including bars and restaurants. In late 2008, the city [outlawed](#) smoking on restaurant and bar patios with outdoor service.

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