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# Yes to surfin', but no to smokin'

## Malibu begins enforcing smoking ban on beaches

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David McNew / Getty Images file

A surfer walks past a no-smoking sign in Solana Beach, California. Solana Beach was the first California city to ban smoking at the beach in September 2003 and now many others are following.

### By Mike Mosher

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NBC News  
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MALIBU, Calif. - A new ocean breeze is wafting along a 34-mile stretch of white sand in Southern California —and it's smoke-free.

Big crowds are expected this weekend to celebrate the unofficial start of summer in Malibu — and it's where the task of educating the public about the new regulations will get under way.

The smoke-free beaches are a victory for Los Angeles city councilman Jack Weiss. He's picked up trash on volunteer clean-up days and says that cigarette butts on the beach are a big problem.

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"Smokers have treated [the beach] as an ashtray, it's disgusting, it's inexcusable, and now in Los Angeles it's illegal," Weiss said.

The campaign to keep the seafront clean began north of San Diego in Solana Beach, which became the first California city to ban smoking at the beach in September 2003.

"The goal is to make 1,000 plus miles of coastline in California smoke and cigarette butt free, and everybody wants to participate in this one and no one, no one wants to become the dreaded smokers beach in California," Weiss said.



Damian Dovarganes / AP file

Ricardo Alvarez smokes a cigarette at sunset on the Santa Monica Beach in March. Earlier this week, the Malibu city council gave final approval to a beach-smoking ban.

This week the Malibu city council gave final approval to a smoking ban for the historic pier and the surfer beach, which includes designated smoking areas in the parking lots.

Malibu Mayor Sharon Barovsky, a smoker herself, put the issue

on the city council agenda.

"It's hard to balance the rights of the public against the rights of the individual which is one of the reasons we did allow smoking areas for smokers, but I haven't had a lot of complaints from smokers. Being one myself, I didn't feel it was that great a hardship for people," said Barovsky.

Andra Nathanson, who was visiting Malibu from Cocoa Beach, Fla., thinks the ban makes sense. "I think government should not interfere with people's personal business but smoking, I mean, smoking, it affects everybody."

Linda Burns, Nathanson's friend, disagreed. "Because I smoke, I just don't think it's fair. I don't think it should be the law."

### Warnings first

The penalty for violators caught snuffing their butts out in the sand is a \$250 fine. Although, for a short while, only a warning will be issued.

When G Peter, a smoker who wouldn't give his full name, rolled his eyes and took a deep drag when told about the fine.

"So if I bum a cigarette from somebody and they catch me smoking in Santa Monica, I'm going to have to pay \$250 for that?!" As Peter exhaled, a stiff breeze carried the smoke away.

Robert Berger, chairman of the Los Angeles county smoke-free beach task force said the new laws in southern California are catching on globally. Beaches in New York, New Jersey, Hawaii, and Australia recently added smoking regulations.

"We really hope to change the social norm on this issue and make it just an unacceptable place for people to smoke, we have the rights to clean beaches [and] clean air," said Berger.

The theme was echoed by Teri Higgins, a mother watching her toddler learning to walk at Hermosa Beach.

"She was playing in the sand, see the cigarette over there. She puts a lot of things in her mouth, she's at the stage where she doesn't know to decipher what she should put in her mouth and what she shouldn't put in her mouth," said Higgins, explaining her support of the ban.

Nearby, enjoying a cigarette and the sunset, Seth Peterson said he came all the way from South Carolina to enjoy clean beaches. He doesn't want to see cigarette butts.

And though he smokes, he is careful not to litter. "It's [the law] a little extreme, like I just had a cigarette, got rid of my ash by putting it in my back pocket, as soon as I find an ash tray I'll put it away, where it belongs."

So this holiday weekend go ahead, get out your sunscreen and surfboard, enjoy your lo-carb picnic, toss a football or Frisbee, but cigarettes? Sorry, but in Southern California it's a beach, not an ashtray.

*Mike Mosher is an NBC News Producer based out of the Burbank bureau.*

#### LIVE VOTE

**Should smoking be banned on all U.S. beaches?**

- Yes; I want to breathe fresh air
- No; butt out of my life
- I don't care; now let me sunbathe in peace

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