



**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
LAND USE & NATURAL RESOURCES COMMITTEE OF COUNCIL**

Thursday, January 31, 2019

Committee met at 9:00AM, this date, at Town Hall (2056 Middle Street), all requirements of the Freedom of Information Act having been met. Present were Committee members Councilmember Rita Langley (Chair), Mayor Pat O'Neil and Councilmember Chauncey Clark; Staff: Administrator Benke; Director of Planning and Zoning Henderson; Asst. to Administrator Darrow.

1. Call to Order. Chair Langley called the meeting to order, stated the press and public were duly notified pursuant to state law and all members were present; no media and three (3) audience members present (including Council member Howard).

2. Meeting Agenda – approved as presented

3. Smoking on Town Owned or Controlled Properties (Discussion)

Chair Langley provided an overview of this topic:

She has been approached by a number of residents, over time, expressing concern about the negative impact of smoking product debris, specifically cigarette butts, on the beach and ocean marine life, marsh areas, parks and other Town owned or controlled properties.

While researching the environmental impact of cigarette butts, across many resources, she discovered some significant statistics, a few being:

1. Cigarette butts are the #1 litter item collected in the SC area
2. Cigarette butts contribute 30% of the litter collected nationally (1.6 billion pounds)
3. Approximately 1/3 of the ocean's litter is believed to be cigarette butt filters
4. One cigarette butt filter in two gallons of water is lethal to small crustaceans (i.e. shrimp, krill, crab)
5. Cigarette butt filters are found in dead fish, birds, sea turtles and other marine animals
6. Leech toxic elements into the water and soil during decomposition: cadmium, lead, arsenic, zinc and formaldehyde.
7. 90% of cigarette butt filters are non-biodegradable and take 18 months-10 years to decompose

More information/references (Exhibit A)

Committee discussed options available to the Town to address this environmental concern, from public relations/community outreach to developing an ordinance to ban smoking on the beach, marshes, public parks and other Town owned or controlled properties.

Committee discussed a smoking ban as an offense carrying with it a civil penalty as opposed to a criminal penalty.

Administrator Benke:

- Noted SC law does not currently ban smoking; therefore, Sullivan's Island would not be able to convict a person smoking on the beach as a criminal offense (per SC Supreme Court case law).
- Town could ban smoking on the beach as a civil violation.
- Currently littering of all types, on the beach or anywhere on the Island, is a criminal offense per SC state law.
- Enforcement of littering can be a challenge, as the officer would need to see someone drop a cigarette butt and walk away before citing.

Chair Langley noted that the City of Surfside has an ordinance against cigarette smoking on the beach (§§7-131-7-147); the only municipality in South Carolina to do so, to her knowledge. Chair Langley reported she has spoken with Surfside municipal staff about the efficacy of this ordinance. Staff reported to her that, over time, people have conformed with the rule.

Committee discussed an incremental approach to eliminating cigarette butts on the beach, along with marsh area, Town parks and other municipal owned or controlled properties.

Mayor O'Neil and Councilmember Clark advocated for beginning with a strong community outreach/public relations approach to address this matter: to help educate people as to why cigarette butts are a threat to the Island, and, attempt to curve public behavior. Committee noted that this outreach would lay the foundation to explain future legislative action, should the Town go in that direction.

Public Comments:

Cheryl Clark, 2119 Pettigrew, asked if it was the eventual goal to eliminate smoking or to eliminate cigarette butt/smoking debris on every Island space (streets and sidewalks, for example)? She also asked how the ordinance against loud whistling, singing and other noise violations is a crime.

Chair Langley submitted the Town would focus on smoking/smoking debris impact on the beach, beach paths and parks.

Administrator Benke noted that a citation for a noise violation can be prosecuted as a criminal offense, just like littering. Smoking, since it is not illegal by South Carolina law, would be a civil penalty with a lower fine (approximately \$25) and, unlike a noise violation, does not compel a person to appear before the municipal judge.

Wayne Guckenberger, 2105 Pettigrew, suggested providing beach cans or cigarette butt receptacles near the beach paths to facilitate proper disposal.

Cheryl Clark suggested that involving young children from Sullivan's Island Elementary in a community awareness event would make a big impact. She feels that social pressure is needed to shape public behavior to responsibly disposing of cigarette butts.

Committee Consensus (No Formal Motion Made):

Agreed to recommend implementing a vigorous community outreach/public relations program. Committee cited some points to stress to the public:

- **It is a criminal act, under SC law, to drop cigarette butts on the beach, or anywhere (littering)**
- **Raise awareness by gathering and sharing more data on the negative environmental impact of cigarette filters, especially to the beach, ocean and marine life**
- **Educate public on safe ways to dispose of cigarette butts**

Committee stressed that all options remain on the table, up to and including a potential ordinance banning smoking on the beach.

Committee will retain this item on its agenda for future discussion.

There being no further business, the meeting was adjourned at approximately 9:25AM (Councilmember Clark motioned; Mayor O'Neil seconded; unanimously passed)

Respectfully submitted,
Rita Langley, Chair
Land Use & Natural Resources Committee

Approved at the March 4, 2019 Council Workshop

Land Use & Natural Resources Committee
January 31, 2019

Exhibit A

Environmental Impact of Cigarette Butt Litter Resources/References/Additional Information

1. SCDHEC: <https://www.scdhec.gov/environment/your-water-coast/ocean-coastal-management/marine-debris-abandoned-vessels/marine-debris>
2. Ocean Conservancy: <https://oceanconservancy.org/blog/2018/08/31/tobacco-butts-pack-poisonous-punch-people-ocean/>
3. SC Litter & Cigarette Butts : https://www.postandcourier.com/news/cigarette-butts-lead-beach-trash-clean-up/article_c491e778-a1f6-11e6-bf5e-df3e3452a6c1.html
4. Toxicity of cigarette butts on marine and freshwater fish (PMC, US National Library of Medicine National Institute of Health):
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3088407/>
5. Keep America Beautiful Anti-Litter: <https://www.kab.org/cigarette-litter-prevention/economic-environmental-impact>
6. The Terra Mar Project: <https://theterramarproject.org>
Specific information regarding cigarette butt and filter pollution:
<https://theterramarproject.org/2018/05/21/breaking-down-cigarette-butt-pollution-the-facts/>