

MEMORANDUM

TO: City Council
Interim City Manager
City Clerk

FROM: Gregory P. Einhorn, City Attorney

SUBJECT: Proposed Ordinance to Regulate Smoking in Outdoor Places

DATE: December 21, 2011

1. Background

At its October 17, 2011 regular meeting, the Council was presented with a draft ordinance by a group of Orland High School students with Students Working Against Tobacco. The Council requested staff to review the draft ordinance, set forth the key provisions, and receive Council direction.

At its November 7, 2011 regular meeting, the Council heard comments from the public and provided direction to prepare an ordinance for consideration.

At its November 21 and December 5, 2011 regular meetings, the Council considered the draft ordinance and heard further comments from the public, held further discussion, and directed staff to modify the draft.

At its December 19 meeting, the Council considered the draft ordinance as prepared following direction from the December 5 meeting, considered a draft with a designated smoking area provision, heard further comments from the public, and directed staff to modify the draft with designated smoking area provision.

2. Designated Smoking Areas

8.14.035 – Designated Smoking Areas

The City may designate areas of outdoor property under its control within which smoking is permitted. Such designated smoking areas shall be determined by the City Council and shall be clearly marked. The City Council shall have the authority to withdraw any such designation.

3. Council Options

- A. Council review and vote on approval of first reading of draft measure presented.
- B. Other direction to staff.

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