



CITY OF SACRAMENTO

DEPARTMENT OF LAW

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September 19, 1986

Law and Legislation Committee
City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Amendment to the City's Ordinance
Regulating Smoking

SUMMARY

It is recommended that the Law and Legislation Committee approve the attached ordinance which amends the current provisions of the City's ordinance regulating smoking.

BACKGROUND

The City's smoking regulation ordinance, when adopted, was virtually identical to the ordinance adopted by the County of Sacramento. Both ordinances are enforced by the County Department of Health.

The County of Sacramento has, based upon the recommendation of the County Health Director, recently adopted several amendments to its ordinance. Briefly, those amendments made the following changes:

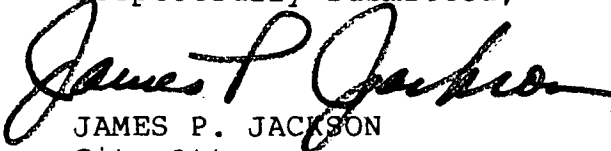
- a. Proprietors of bowling alleys are now authorized to designate various places within an alley where smoking is permitted. The amendment absolutely prohibits smoking within bowling lanes, bowling scoring areas, and seating areas for bowling participants.
- b. At least 50% of each employee lunchroom and lounge may now be committed to smoking. The amendment authorizes smoking within the entirety of a lunchroom or lounge if the employer maintains two or more lunchrooms or lounges freely accessible to employees as Workplaces within the same building, and prohibits smoking within the entirety of all other lunchrooms and lounges.

The attached ordinance would incorporate these same changes into the City's smoking regulation ordinance. Attachment "A" contains the underlined new language. Attachment "B" is the revised language without underlines for adoption by the City Council.

RECOMMENDATION:

It is recommended that the Law and Legislation Committee approve the attached ordinances which amend the current provisions of the City's ordinance regulating smoking.

Respectfully submitted,


JAMES P. JACKSON
City Attorney

JPJ:je
Att.

cc: Laurel Gaiser, American Lung Association
Ron Usher, County Health Director
Lee Elam, County Counsel

Law and Legislation
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTIONS
37.11 AND 37.20 OF CHAPTER 37 OF
THE SACRAMENTO CITY CODE, RELATING
TO SMOKING POLLUTION CONTROL

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS
FOLLOWS:

SECTION 1.

Section 37.11 of Chapter 37 of the Sacramento City Code is
amended to read as follows:

§37.11 Arenas.

The prohibitions contained in Section 37.03 shall be applicable
to sports pavilions, gymnasiums, exercise rooms, health spas,
boxing arenas, swimming pools, roller and ice skating rinks,
bowling alleys and other similar places where Members of the
General Public assemble to either engage in physical exercise,
participate in athletic competition or witness sports events.

An owner, manager or operator may permit persons to smoke within
the portion of a facility described by this Section at a
specified location or locations by posting "Smoking Permitted"
signs in the manner prescribed by Section 37.25 at any such
location so designated; provided that the owner, manager or
operator of a bowling alley shall not post such signs or other-
wise permit smoking within bowling lanes, at bowling scoring
tables or within scoring areas, or at seating for bowling
participants as distinguished from seating made available for
bowling spectators. It shall not constitute a violation of
Section 37.03 for a person to smoke in a location where smoking
has been authorized in the manner prescribed herein.

SECTION 2.

Section 37.20 of Chapter 37 of the Sacramento City Code is
amended to read as follows:

§37.20 Workplace -- Smoking Segregated.

Each Commercial Enterprise, Non-Profit Entity and the City maintaining a cafeteria, lunchroom, or lounge as a Workplace, shall designate not less than fifty percent of the floor space and seating capacity as a separate or contiguous area therein for nonsmoking, and shall post "No Smoking" signs therein in the manner prescribed by Section 27.25; provided that a particular Commercial Enterprise, Non-Profit Entity or the City which maintains two or more lunchrooms or lounges to which all employees are freely admitted as a Workplace within the same building, may authorize smoking within the entirety of a single lunchroom or lounge if smoking is prohibited by the posting of "No Smoking" signs in the manner prescribed by Section 27.25 within the entirety of all other lunchrooms or lounges within the same building. The provisions of this section shall not be deemed to authorize an employer to permit smoking within the entirety of any cafeteria maintained as a Workplace.

DATED PASSED FOR PUBLICATION:

DATED ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

ALL DISTRICTS

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