

ORDINANCE NO. SCC 2017-_____

**AN ORDINANCE OF THE
BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA
AMENDING CHAPTER 8.45 OF THE SHASTA COUNTY CODE,
REGULATING SMOKING IN SHASTA COUNTY**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1. Chapter 8.45 of the Shasta County Code is amended as follows:

Section 8.45.031 is hereby added to the Shasta County Code:

8.45.031 Prohibition of smoking in unenclosed areas owned, or controlled as part of a lease, by the County of Shasta for the Health and Human Services Agency as set forth in this sub-section.

A. The Shasta County Health and Human Services Agency (HHSA) strives to promote and model good health and protect employees and clients from the harmful effects of second hand smoke. As a result, the Board of Supervisors finds and declares that smoking in unenclosed areas of County owned or leased HHSA facilities is prohibited.

B. Definitions:

“Unenclosed area” or “unenclosed” means any space which is not an “enclosed area” or “enclosed” as those terms are defined in Section 8.45.020 of this chapter, located within the boundaries of property owned, or controlled as part of a lease, by the County of Shasta for the HHSA where smoking is not otherwise prohibited by any other section of Chapter 8.45 of the Shasta County Code or any State or Federal statute, rule, or regulation.

Section 8.45.080 is hereby amended in its entirety:

8.45.080 Posting of signs.

Signs saying “No Smoking” or displaying the international “No Smoking” symbol (consisting of a pictorial representation of a cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently, and conspicuously posted in every building or other place where smoking is prohibited by this chapter, by the owner, operator, manager, or other person having control of or occupying such building or area. The posting of any sign allowing or encouraging smoking in such a place is prohibited. Any failure to comply in whole or in part with the requirements of this section shall not relieve any person or entity from any obligation to comply with any other provisions of this chapter applicable to such person or entity.

Subsection A of Section 8.45.120 is hereby amended in its entirety to read as follows:

8.45.120 Violations and penalties.

It is a violation of this chapter for any person who owns, manages, operates or otherwise controls the use of any enclosed area of a public place subject to regulation under this chapter to fail to comply with any applicable provision of this chapter.

This ordinance amendment shall take effect and be in full force and effect 30 days after passage. The Clerk of the Board shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this _____ day of _____, 2017,
by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

DAVID A. KEHOE, CHAIRMAN
Board of Supervisors
County of Shasta, State of California

ATTEST:
LARRY G. LEES
Clerk of the Board of Supervisors

By: _____