

## Chapter 8.22

### NO SMOKING ON COUNTY PROPERTY

#### Sections:

**8.22.010 - Purpose.**

**8.22.020 - Definitions.**

**8.22.030 - Prohibition in certain public places.**

**8.22.040 - [ Deleted ]**

**8.22.050 - Enforcement.**

**8.22.060 - Violation—Penalty.**

**8.22.070 - Severability.**

#### **8.22.010 - Purpose.**

Because smoking of tobacco or any other weed or plant is a positive danger to health and a cause of material discomfort and a health hazard to those who are present in confined places, and in order to serve public health, safety and welfare, the declared purpose of this chapter is to establish County property as a smoke free environment where persons will be free from inhaling smoke by prohibiting the smoking of tobacco or any other weed or plant on certain County properties.

#### **8.22.020 - Definitions.**

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section unless the context clearly requires otherwise:

(a) "County" means County of San Luis Obispo.

(b) "County Property", for purposes of this Chapter 8.22, means a building or structure owned, leased or otherwise operated by the County of San Luis Obispo to conduct County business, and land appurtenant to that building or structure. "County Property" additionally includes certain County Parks and parklands.

(c) "Smoke" or "smoking", as defined in this chapter, means and includes the carrying of a pipe, cigar, or cigarette of any kind which is burning, or the igniting of a pipe, cigar, or cigarette of any kind.

#### **8.22.030 - Prohibition in certain public places on County Property.**

Smoking shall be prohibited in the following places within the unincorporated areas of the county:

(a) Buildings or structures owned, leased or otherwise operated by the County of San Luis Obispo to conduct County business, and land appurtenant to that building or structure including but not limited to parking lots, landscapes, walkways and patios.

(b) All areas of Mini, Neighborhood and Community Parks, Plazas and Special Places as listed in the Park and Recreation Element of the County General Plan.

(c) In Regional Parks within thirty feet (30) of any building, playground, tot lot or group picnic area.

(d) Notwithstanding the prohibition as set forth in this Chapter, smoking may be allowed in designated smoking areas as authorized by the County Public Health Director.

**8.22.040 [ Deleted ]**

**8.22.050 - Enforcement.**

Employees or visitors who are smoking on County Property where smoking is prohibited will be asked to extinguish their smoking materials. Employees or visitors unwilling to comply, or repeatedly in noncompliance, may be cited under County Code Section 8.22.060.

**8.22.060 - Violation—Penalty.**

Any person who violates any provision of this chapter by smoking in an area where smoking is prohibited is guilty of an infraction pursuant to Chapter 1.04 and is subject to the fines set forth therein.

**8.22.070 - Severability.**

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions or application of the provisions of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.