

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: SMOKING REGULATIONS UPDATE – OUTDOOR
SERVICE AREAS
STAFF PRESENTER: ERIN MORRIS, SENIOR PLANNER
COMMUNITY DEVELOPMENT
AGENDA ACTION: INTRODUCE ORDINANCE

ISSUE(S)

Shall the Council introduce an ordinance amending Chapter 9-20 (Smoking Regulations) to prohibit smoking in outdoor service areas?



COUNCIL GOALS/STRATEGIES

City Council Goal 6 is to “Commit to Making Santa Rosa a Healthy Community Where People Feel Safe to Live, Work, and Play.” Strategic Objective #2 is to expand the City’s smoking ordinance for public/private places.

BACKGROUND

1. The Council initiated changes to the City’s smoking regulations on August 26, 2014.
2. Based on Council direction, a list of changes to the smoking regulations were developed. These changes included prohibiting smoking in outdoor service areas, including ATM lines, outdoor food vending, movie theater lines, bus stops and bus shelters.
3. On June 30, 2015, the Council introduced an ordinance to update the smoking regulations. The smoking ordinance received its second reading on July 7, 2015, and will go into effect on August 7, 2015.
4. The smoking ordinance includes a definition for service areas, and prohibits smoking in indoor service areas. The ordinance does not explicitly address outdoor service areas. The proposed ordinance would correct this omission.
5. “Service area” is defined as any publicly or privately owned area, including streets and sidewalks, that is designed to be used or is regularly used by one or more persons to wait for or receive a service or make a transaction, whether or not such

service or transaction involves the exchange of money, such as but not limited to ATM lines, outdoor food vending, movie theater lines, and taxi cab stands. The term "service area" includes all bus stops and other transit facilities.

6. To revise the smoking ordinance to be consistent with Council direction, "outdoor service areas" would be added to Section 9-20.050 titled "Prohibition of Smoking in Unenclosed Nonresidential Places."

ANALYSIS

1. The proposed change to the smoking ordinance would ensure that the ordinance is consistent with Council direction.
2. This component of the ordinance was presented to the Council in August 2014, December 2014, March 2015, and June 2015 and generated no public comments. Staff has received phone calls from the public in support of this component of the ordinance, particularly from transit users and from people who live near bus stops.
3. Should the Council introduce the ordinance on August 4, 2015, and hold a second reading on August 11, 2015, outdoor service areas would be required to be smoke-free on September 11, 2015.

RECOMMENDATION

It is recommended by the Community Development Department that the Council introduce an ordinance amending Chapter 9-20.050 (Prohibition of smoking in unenclosed nonresidential places) to correct an omission in the smoking ordinance adopted on June 30 and prohibit smoking in outdoor service areas.

Author: Erin Morris

Attachments:

Attachment 1 - Draft Chapter 9-20 Smoking Regulations Revision