

SUMMARY OF ORDINANCE

REPEALING AND REENACTING CHAPTER 7 OF DIVISION 6

OF THE VENTURA COUNTY ORDINANCE CODE

The following is a summary of the Ventura County Comprehensive Smoke-Free Ordinance (“Ordinance”) approved by the Ventura County Board of Supervisors on January 10, 2017. The Ordinance repeals and reenacts Chapter 7 of Division 6 of the Ventura County Ordinance Code (sections 6700 through 6717), regulating smoking in unincorporated areas of Ventura County and in buildings and other areas under the legal control of the County of Ventura.

Section 6700 declares the title of the Ordinance to be the “Ventura County Comprehensive Smoke-Free Ordinance.”

Section 6701 states the Board of Supervisors’ commitment to improving the health and well-being of Ventura County residents by providing a smoke-free environment in places where individuals might be exposed to secondhand smoke.

Section 6702 makes certain findings concerning the harmful effects of tobacco and marijuana smoking and the use of electronic smoking devices.

Section 6703 defines various terms used in the Ordinance. “Public Place” is defined as any place open to the general public, when being used for a public event such as a farmer’s market, parade, or festival. “Recreational Area” is defined as any area owned, controlled, or used by the County of Ventura and open to the general public for recreational purposes, including parks, sports fields, hiking trails, amusement parks, and beaches, but not including golf courses. “Smoke” is defined as gases, particles, or vapors released into the air as a result of combustion, electrical ignition, or vaporization, including tobacco smoke, marijuana smoke, and vapors generated by electronic smoking devices. “Tobacco product” is defined to include any product containing tobacco, marijuana or nicotine.

Section 6704 provides that the Ordinance applies in the unincorporated areas of Ventura County and in all buildings and other areas under the legal control of the County of Ventura.

Section 6705 provides that the County of Ventura shall enforce state laws which generally prohibit smoking in the enclosed areas of places of employment. Smoking is also prohibited in other enclosed areas not subject to state anti-smoking laws, including the enclosed areas of businesses with a common or shared air space with an enclosed area in which smoking is prohibited, and enclosed areas of public places.

Section 6706 prohibits smoking in the unenclosed areas of dining establishments, entryways, public places, recreational areas, service areas, and places of employment, except in designated smoking areas.

Section 6707 prohibits smoking and the use of tobacco products in all vehicles, buildings and other areas owned or under the legal control of the County of Ventura, except for smoking areas designated by the Ventura County Executive Officer or Public Health Department Director.

Section 6708 prohibits smoking in unenclosed areas within 25 feet in any direction of an enclosed or unenclosed area in which smoking is prohibited. A private property or business owner may authorize smoking in a designated smoking area.

Section 6709 prohibits persons who own, manage, operate, or otherwise control an area where smoking is prohibited from knowingly or intentionally permitting smoking in the area.

Section 6710 provides other requirements and prohibitions, including a prohibition on the disposal of smoking or tobacco waste in areas in which smoking is prohibited, except in a waste receptacle or ash can.

Section 6711 requires the posting of "No Smoking" signs in and at entrances to areas where smoking is prohibited.

Section 6712 provides that the Ordinance shall not be interpreted to permit smoking where it is otherwise restricted by other applicable laws.

Section 6713 provides that each incident of smoking in violation of the Ordinance is an infraction, subject to warning for the first violation, \$50 fine for a second violation within one year, \$100 fine for a third violation within one year, and \$200 fine for a fourth or subsequent violation within one year.

Sections 6714, 6715, 6716, and 6717 are general provisions concerning the legal interpretation and operation of the Ordinance, and the establishment of smoking education programs by the Ventura County Public Health Department.

The Ordinance takes effect 30 days following its passage (February 10, 2017) and will become operative and in full force 180 days following its effective date, (August 10, 2017).805