



CONSENT CALENDAR

Agenda Item # 3

AGENDA REPORT SUMMARY

Meeting Date: July 11, 2017

Subject: Ordinance No. 2017-432: Smoke Free Civic Center

Prepared by: Jon Maginot, City Clerk/Assistant to the City Manager

Approved by: Chris Jordan, City Manager

Attachment(s):

1. Ordinance No. 2017-432

Initiated by:

Staff

Previous Council Consideration:

None

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to prohibit smoking on all City-owned property?

Summary:

- Ordinance No. 2017-432 would expand the current prohibition on smoking in recreation areas to include all City-owned property

Staff Recommendation:

Move to introduce and waive further reading of Ordinance No. 2017-432 amending Chapter 6.28 of the City of Los Altos Municipal Code to regulate smoking on the Civic Center Campus



Subject: Ordinance No. 2017-432: Smoke Free Civic Center

Purpose

To introduce an ordinance prohibiting smoking on the Civic Center Campus

Background

In 2011, the City Council adopted Ordinance No. 2011-372 prohibiting smoking in City parks and recreational areas.

Discussion/Analysis

It is recommended that the prohibition on smoking be expanded to include the Civic Center Campus. As the Civic Center campus is directly adjacent to a major recreational area and is heavily used by the general public, an ordinance has been prepared to expand the prohibition on smoking to include the entire Civic Center campus. Ordinance No. 2017-432 would amend Chapter 6.28 of the Los Altos Municipal Code to prohibit smoking on the Civic Center site.

Options

- 1) Introduce Ordinance No. 2017-432

Advantages: Would prohibit smoking in recreational areas and the Civic Center campus

Disadvantages: None identified

- 2) Do not introduce Ordinance No. 2017-432

Advantages: None identified

Disadvantages: Would not prohibit smoking on City-owned property other than recreational areas

Recommendation

The staff recommends Option 1

ORDINANCE NO. 2017-432

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LOS ALTOS AMENDING CHAPTER 6.28 OF THE CITY OF LOS
ALTOS MUNICIPAL CODE TO REGULATE SMOKING ON THE
CIVIC CENTER CAMPUS**

WHEREAS, on August 23, 2011, the City Council adopted Ordinance No. 2011-372 prohibiting smoking in recreational areas; and

WHEREAS, the City now desires to regulate smoking on the Civic Center campus; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Chapter 6.28 of the Los Altos Municipal Code entitled “Smoke Free Recreation Areas” is amended as follows:

1. Section 6.28.010 “Definitions” is amended to add the following:

A. “Civic Center Campus” means the publicly owned property bounded by San Antonio Road and Hillview Avenue, including the Hillview Community Center, Los Altos Library, Los Altos Police Department, Los Altos History Museum, Los Altos Apricot Orchard, Los Altos City Hall, and all recreation and parking areas on this property.

2. Section 6.28.020 “Smoking prohibited” is amended to read as follows:

A. Smoking is prohibited anywhere in a Recreational Area, the Civic Center Campus or in any Parking Area.

B. Nothing in this chapter shall be construed to prohibit Smoking in any area in which such Smoking is already prohibited by state or federal law unless the applicable state or federal law does not preempt additional local regulation.

SECTION 2. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 3. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on _____, 2017 and was thereafter, at a regular meeting held on _____, 2017 passed and adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mary Prochnow, MAYOR

Attest:

Jon Maginot, CMC, CITY CLERK