

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 July 11, 2017 and was thereafter, at a regular meeting held on August 22, 2017 passed and adopted by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Mary Prochnow, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) CERTIFIED COPY OF ORDINANCE
CITY OF LOS ALTOS) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2017-432, adopted by the Los Altos City Council on August 22, 2017 by the following vote:

AYES: BRUINS, LEE ENG, MORDO, PEPPER, PROCHNOW
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: July 19, 2017 and August 30, 2017. Said ordinance shall be effective September 22, 2017.

Dated this 8th day of September, 2017.


Jon Maginot, CMC
City Clerk