



*City of Arts & Innovation*

# City Council Memorandum

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**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: JANUARY 10, 2017**  
**FROM: COUNCILMEMBER CHRIS MAC ARTHUR      WARDS: ALL**  
**SUBJECT: ADDITION OF A NEW CHAPTER 6.23 TO RIVERSIDE MUNICIPAL CODE, TO PROHIBIT SMOKING IN PUBLIC PLACES**

## **ISSUE:**

Adopt an ordinance to add a new chapter 6.23 to the Riverside Municipal Code to prohibit smoking in public places.

## **RECOMMENDATION:**

That the City Council introduce and subsequently adopt the attached ordinance that will add a new chapter 6.23 to the Riverside Municipal Code to prohibit smoking in public places.

## **COMMITTEE RECOMMENDATION:**

The Utility Services/Land Use/Energy Development Committee met on December 12, 2016, with Chair MacArthur, Vice Chair Soubrious and Member Gardner present, to consider the proposed ordinance to add a new chapter 6.23 to the Riverside Municipal Code to prohibit smoking in public places. After discussion, the Committee unanimously approved the recommendation.

## **BACKGROUND:**

Currently, the City has a ban on smoking in effect in relation to City Parks and City buildings and entrances/exits to City buildings, as smoking is prohibited within 20 feet of building entryways. Riverside Municipal Code section 9.08.140 prohibits smoking within City Parks and provides the Parks, Recreation and Community Services Director with the authority to designate prohibited smoking areas with appropriate signage. There are no further restrictions in the Municipal Code that pertain to smoking in public places.

Smoking is a danger to the health and a material annoyance, inconvenience, discomfort and a possible health hazard to those who are present in confined spaces. The proposed ordinance will add the use of electronic cigarettes to be prohibited in locations where smoking is prohibited, including City-owned buildings. This ordinance is a public safety effort and will protect the health

of the citizens of the City of Riverside. It will also protect youth from observing behaviors that could encourage them to smoke tobacco or other combustible substances.

**DISCUSSION:**

The proposed ordinance adds a new chapter 6.23 to the Riverside Municipal Code to prohibit smoking in public places such as city buildings, facilities and community centers; bars; restaurants; stores; stadiums; service areas such as gas stations or ATM lines; playgrounds; taxis; buses or public transit stops. Smoking is defined to include any cigar, cigarette, pipe, electronic smoking device (such as an e-cigarette), or any similar kind of smoking equipment or article, using any form of tobacco, plant product, or other combustible substance in any form. The adoption of an ordinance will preserve the public health, safety and welfare and will ensure that public places are safe and free from smoking and its related hazards.

**FISCAL IMPACT:**

There is no fiscal impact at this time.

Prepared by: Chris Mac Arthur, Councilmember – Ward 5  
Approved as to form: Gary G. Geuss, City Attorney

A handwritten signature in black ink, reading "Chris Mac Arthur", written over a horizontal line.

Chris Mac Arthur, Councilmember – Ward 5  
Utility Services/Land Use/Energy Development Committee Chair

Attachment: Ordinance