

CITY OF SAN ANSELMO

ORDINANCE NO. 691

AN ORDINANCE OF THE CITY OF SAN ANSELMO AMENDING CHAPTER  
15 OF TITLE IV OF THE SAN ANSELMO MUNICIPAL CODE REGARDING  
SMOKING IN PLACES OF PUBLIC ASSEMBLY

The City Council of the City of San Anselmo does ordain as follows:

Chapter 15 of Title IV of the San Anselmo Municipal Code is hereby amended to read as follows:

Section 4-15.02. Provision for Non-Smoking Areas.

(a) Within any roofed building in which seating is provided for public use, which is primarily used or designed for exhibition of motion pictures, live dramatic performances, meetings, lectures, musical recitals or other similar performances, whenever open to the public, there shall be set aside an area of not less than one-third (1/3) of the seating available for patrons which shall be designated a non-smoking area in the manner provided in Subsection (c) below.

This regulation shall not include smoking by performers when smoking is an integral part of the performance. Smoking may be permitted in restrooms and in the lobby.

(b) Within businesses other than described in Subsection (a) above open to the public which provide more than eight (8) seats (except for bars, taverns and cocktail lounges), there shall be set aside an area of not less than one-fourth (1/4) of the seating available for patrons which shall be designated a non-smoking area as provided in Subsection (c) below.

(c) "This area reserved for non-smokers--thank you for not smoking" signs with letters not less than four (4) inches in height shall be conspicuously posted in every room, building, or other place where smoking is prohibited as provided in Subsections (a) and (b) above by the owner, operator, manager, or other person having control of such room, building, or other place. Alternative means of notification (individual place cards, projected film clips, etc.) may be employed provided they, in the opinion of the Building Inspector, are equivalent to or exceed aforementioned signs in total effect.

Section 4-15.03. Prohibition in Places Open to the Public.

Smoking shall be prohibited in the following places open to the public within the City of San Anselmo.

(a) All structures or areas designated by the Fire Chief as a potential fire hazard if smoking were allowed.

(b) Waiting rooms or public hallways of every private or public health care facility or office; provided, however, this prohibition shall not preclude the establishment of a separate waiting room in which smoking is permitted as long as the facility also provides a waiting room in which smoking is prohibited.

(c) Within stores doing business with the public (including banks) in only those areas open to the public; however, the owner, operator, manager or other person having control may set aside an area not more than one-third (1/3) the area open to the public for smoking by the public providing said area is so-designated.

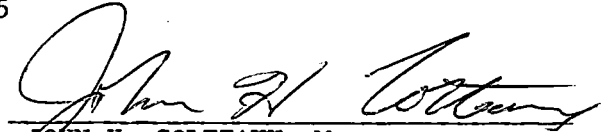
(d) In the halls and reading and viewing rooms of museums and libraries when open to the public.

(e) "Smoking is prohibited by Section 4-15.03 of the San Anselmo Municipal Code" signs with letters not less than four (4) inches in height shall be conspicuously posted in every room, building, structure, area or other place where smoking is prohibited as provided in Subsections (a), (b), (c), and (d) above by the owner, operator, manager, or other person having control of such room, building, structure, area or other place. Alternative means of notification (individual place cards, projected film clips, etc.) may be employed provided they, in the opinion of the Building Inspector, are equivalent to or exceed aforementioned signs in total effect.


Section 4-15.04. Violations are Infractions.

A violation of any of the provisions of this Chapter shall constitute an infraction.

Dated: March 25, 1975

  
JOHN H. COLTEAUX, Mayor

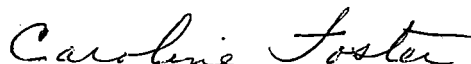
ATTEST:

  
City Clerk

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The foregoing ordinance was read and introduced at a regular meeting of the San Anselmo City Council held on March 11, 1975, and was thereafter at a regular meeting of the City Council held on March 25, 1975, duly passed and adopted by the following vote:

- AYES: Councilmen Anderson, Blinder, Toal, Colteaux
- NOES: Councilmen Capurro
- ABSENT: Councilmen None

  
City Clerk