

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 09/22/08		Item Number: <u>C-4</u>	
AGENDA ITEM: Adoption of Ordinance Amending Chapter 9.11 of the Culver City Municipal Code Relating to Smoking Regulations to 1) Add New Regulations Prohibiting Smoking in Outdoor Dining Areas; 2) Relocate Existing Regulations Prohibiting Smoking in City Parks from Subchapter 9.10.500, et seq. to Chapter 9.11; and 3) Update Existing Regulations Contained in Chapter 9.11 to be Consistent with State Law.			
Contact Person/Dept.: Heather Baker/City Attorney's Office		Phone Number: (310) 253-5660	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Public Notification: County of Los Angeles Department of Health Services; Culver City Chamber of Commerce; Downtown Business Association; restaurant owners; individuals who spoke at prior Council Meetings and Community Meetings; Master E-Mail Notification List (09/17/08); Coalition for a Tobacco Free LA County (comprised of over 70 organizations – this notification was emailed courtesy of the County of Los Angeles Department of Health Services) (09/12/08)			
Department Approval: Carol Schwab (by H. Baker) (09/10/08)		City Attorney Approval: Carol Schwab (by H. Baker) (09/10/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/16/08)		City Manager Approval: Jerry B. Fulwood (	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt the Ordinance (Attachment 1) amending Chapter 9.11 of the Culver City Municipal Code (CCMC) relating to smoking regulations to 1) add new regulations prohibiting smoking in outdoor dining areas; 2) relocate existing regulations prohibiting smoking in City parks from Subchapter 9.10.500, et seq. to Chapter 9.11; and 3) update existing regulations contained in Chapter 9.11 to be consistent with state law, and waive further reading. <u>BACKGROUND/DISCUSSION:</u> At the City Council meeting of September 8, 2008, the City Council introduced the Ordinance, with revisions, by a unanimous vote (4-0). From the dais, the City Council made the following revision to the Ordinance prior to adoption: • §9.11.105 – that the definition of “Outdoor Bar Patio” be revised to include language that a minor is not allowed to enter and remain in the area in order to further clarify the exception to the smoking prohibition in outdoor dining areas is limited to bars only.			

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This revision is not considered to be substantive in nature; therefore, it does not require re-introduction of the Ordinance. The Ordinance, as revised, is brought back tonight for adoption.

FISCAL ANALYSIS:

The additional regulations prohibiting smoking in Outdoor Dining Areas may require increased enforcement activity by City staff, particularly the Police Department and City Attorney's Office. These costs cannot be easily quantified.

ATTACHMENTS:

1. Ordinance

MOTIONS:

That the City Council:

Adopt the Ordinance amending Chapter 9.11 of the Culver City Municipal Code (CCMC) relating to smoking regulations to 1) add new regulations prohibiting smoking in outdoor dining areas; 2) relocate existing regulations prohibiting smoking in City parks from Subchapter 9.10.500, et seq. to Chapter 9.11; and 3) update existing regulations contained in Chapter 9.11 to be consistent with state law, and waive further reading.