

**CITY OF ENCINITAS
PUBLIC NOTICE OF ORDINANCE ADOPTION
ORDINANCE NO. 2023-02**

NOTICE IS HEREBY GIVEN that the City Council of the City of Encinitas has adopted Ordinance No. 2023-02 titled "An Ordinance of the City Council of the City of Encinitas amending Chapter 11.08 (Smoking) of the Encinitas Municipal Code to establish a citywide ban on smoking in public places, and repealing Chapter 11.09 (Smoking Prohibited in Beaches, Parks, Trails, and Outdoor/Patio Dining Areas of Eating Establishments) of the Encinitas Municipal Code. CASE NUMBER: PLCY-005913-2023; CITYWIDE."

Proposed Ordinance No. 2023-02 was developed by staff, in consultation with the City Attorney, and includes the following key provisions, summarized below:

- A. Smoking is prohibited in the following locations:
 - 1. Public places
 - 2. Places of employment
 - 3. Any area within 20 feet of a public place, except private residential property
- B. Smoking is permitted in the following locations:
 - 1. Private property, including private residential property
 - 2. In up to 20 percent of guest rooms in any hotel or motel
 - 3. Within a motor vehicle that is actively being driven
- C. No person shall dispose of any Smoking waste except in specific receptacles designated for Smoking waste.

Ordinance No. 2023-02 was introduced at the Regular City Council meeting held on February 15, 2023, re-introduced at the Regular City Council meeting held on March 15, 2023, and adopted at the Regular City Council meeting held on April 12, 2023, by the following vote: AYES: Blackwell, Ehlers, Hinze, Kranz, Lyndes; NAYS: None; ABSTAIN: None; ABSENT: None. The Ordinance is on file in the office of the City Clerk, 505 South Vulcan Avenue and may be viewed between the hours of 8:00 a.m. and 5:00 p.m. In compliance with the Americans with Disabilities Act/Section 504 Rehabilitation Act of 1973 and Title VI, this agency is an equal opportunity public entity and does not discriminate on the basis of race, color, ethnic origin, national origin, sex, religion, veteran status or physical or mental disability in employment or the provision of service. If you require special assistance to participate in this meeting, please contact the City Clerk's Office at 760-633-2601 at least 72 hours prior to the meeting. /Kathy Hollywood, City Clerk