

ORDINANCE NO. _____
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING SECTIONS 4.96.030, 4.96.040 AND REPEALING
SECTIONS 4.96.050 THROUGH 4.96.100, REPEALING SECTIONS 4.96.120 AND
4.96.130 OF CHAPTER 4.96, OF TITLE 4 OF THE SAN MATEO COUNTY
ORDINANCE CODE RELATING TO THE REGULATION OF SMOKING**

The Board of Supervisors of the County of San Mateo, State of California, **ORDAINS** as follows:

SECTION 1. Section 4.96.030 of Chapter 4.96 of Title 4 of the San Mateo County Ordinance Code is amended to read as follows:

Section 4.96.030 Definitions.

For the purpose of this ordinance, unless the context clearly requires a different meaning, the words, terms, and phrases set forth in this section shall have the meanings given to them in this section.

(a) Enclosed shall mean closed in by a roof and four (4) walls with appropriate openings for ingress and egress.

(b) Public Place shall mean any enclosed area to which the public is invited or in which the public is permitted. A private residence is not a public place.

(c) Smoking shall mean inhaling, exhaling, burning or carrying any lighted cigar, pipe, cigarette, weed, plant or other combustible substance in any manner or in any form.

(d) Main entrance shall mean the primary location(s) for ingress and egress to any enclosed structure owned or leased by San Mateo County.

(e) Thirty (30) feet from a main entrance shall be that area as determined by the Director of Public Works.

(f) Self service display shall mean an open display of tobacco products that the public has access to without the intervention or assistance of an employee.

(g) Tobacco product shall mean any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco which may be utilized for smoking, chewing, inhalation or the means of ingestion.

(h) Vendor assisted shall mean that only a store employee has access to the tobacco product and assists the customer by supplying the product.

SECTION 2. Section 4.96.040 of Chapter 4.96 of Title 4 of the San Mateo County Ordinance Code is amended to read as follows:

Section 4.96.040 Smoking shall be prohibited:

(A) Within any enclosed structure owned or leased by San Mateo County and within thirty (30) feet of the main entrance(s) of any enclosed structure owned by San Mateo County as determined by the Director of Public Works, wherever located, except private residences leased from the County, and

(B) All enclosed areas available to, and customarily used by, the general public, in all businesses patronized by the public and all enclosed passageways between businesses.

SECTION 3. Sections 4.96.050 through 4.96.100 and 4.96.120 and 4.96.130 of Chapter 4.96 of Title 4 of the San Mateo County Ordinance Code are repealed.

SECTION 4. This Ordinance shall be effective thirty (30) days from the passage date thereof.

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