

May 17, 2016

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**Re: Merit Hearing: AN ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS REPEALING SECTION 7.70.030 OF CHAPTER 7.70 OF THE MARIN COUNTY CODE, AMENDING SECTION 7.70.020 AND ADDING NEW SECTION 7.70.030 TO CHAPTER 7.70 OF THE MARIN COUNTY CODE TO CLARIFY THE PROHIBITION OF SMOKING IN COUNTY FACILITIES AND VEHICLES AND PROHIBIT ANY SMOKING IN UNENCLOSED AREAS OF FACILITIES OWNED, LEASED OR OPERATED SOLELY BY AND FOR THE COUNTY OF MARIN**

Dear Supervisors,

**RECOMMENDATION:** Conduct Merit Hearing of Ordinance and consider adoption of the Ordinance

**SUMMARY:** Consistent with its mission to protect and promote the health, well-being, self-sufficiency and safety of all in Marin County, Supervisor Damon Connolly and the Marin County Department of Health and Human Services have requested staff to prepare an Ordinance to prohibit smoking in all unenclosed areas owned, leased or operated solely by and for the County of Marin including all vehicles owned, leased or operated by the County. While Marin County Code Chapter 7.70 currently prohibits smoking inside all enclosed facilities owned or operated by the County, as well as in outdoor areas immediately adjacent to any doors or operable windows, the proposed ban would strengthen the protection for employees and visitors. In addition, the Board of Supervisors adopted a Resolution in 2012 that prohibited all smoking on Health and Human Services Campuses.

The proposed Ordinance bans smoking: (1) at all County-owned, leased, or operated facilities located throughout the County; (2) strengthens the ban in all enclosed areas of all County Facilities; and (3) in all non-enclosed areas of all County facilities.

**Benefits:** The negative health impacts of cigarette smoking are well known. Reliable studies continue to show that breathing secondhand

smoke is a significant health hazard. The California Environmental Protection Agency has designated secondhand smoke as a substance that causes cancer in humans and the United States Surgeon General issued a report concluding that there is no risk free level of exposure to secondhand smoke. The California State Health Officer has reported that research has also found at least ten chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm associated with Electronic smoking devices that could be a health concern for both users and those exposed to secondhand aerosol.

Providing the public and staff smoke-free environments at all County facilities will help mitigate their exposure to this health hazard.

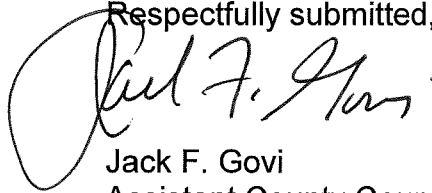
The Merit Hearing of the Ordinance is set to occur today at 10:30 a.m. The Board should conduct the hearing and consider passage of the Ordinance.

**FISCAL/STAFFING IMPACT: \$35,000 - \$50,000 for signage.**

**REVIEWED BY:**

- Finance Director x N/A
- X County Counsel
- X Human Resources

Respectfully submitted,



Jack F. Govi  
Assistant County Counsel

cc: Clerk of the Board