

Mariposa County Smoking and Tobacco Use Ordinances

Reducing the Risk of Outdoor Secondhand Smoke Exposure

The overall goal of two ordinances (No.1112 & No.1145) is to help Mariposa County be a healthier place to live by reducing the negative health impacts of secondhand smoke on non-smokers, including children. According to the 2006 Surgeon General's Report there is no safe level of exposure to secondhand smoke.¹

Mariposa County Outdoor Smoking Restrictions

- **Outdoor Dining Areas, and within 25' radius of Mobile Food Trucks**
- **Within 25 feet of business entryways, including doors and windows.**
 - Exclusion: when actively passing an entryway
- **Recreation areas:** County owned parks, sports fields
- **Mariposa Farmer's Market** and **Mariposa Creek Parkway**
- At **YARTS bus stops/shelters** and within 25' of the bus stop

Other Requirements:

- In the Mariposa County park system, people must go off property to smoke, at a distance of at least 25 feet.
- **Businesses shall post "No Smoking, No Vaping" or "Tobacco-Free" signs** to include the **25' from entryways** and/or **outdoor dining** designations.
- Cigarette butt/ash receptacles must also be 25' from entryways.

Definitions

"Smoking" means **inhaling, exhaling, burning**, or carrying any lighted, heated, or ignited cigar, **cigarette, cigarillo, pipe, hookah, Electronic Smoking Device**, or any plant product intended for human inhalation.

"Smoke" includes, but is not limited to, **tobacco smoke, electronic smoking device vapors, marijuana smoke**, and crack cocaine smoke.

Compliance and Enforcement

Laws regulating smoking can be largely self-enforcing. Use of proper signage and public education are effective ways to gain compliance with outdoor smoke-free ordinances.

The Tobacco Education Program staff is available to assist with signage and tips on how to talk with the public, and employees, about smoking in restricted spaces.

Overall enforcement of the ordinance is the responsibility of the Mariposa County Sheriff's Department, any peace officer, or code enforcement official. An infraction may result in a \$100 fined as per Mariposa County Code Section 8.25.06.

Mariposa County Health & Human Services Agency / Public Health Branch
Tobacco Education Program
www.mariposacounty.org/tobaccoeducation
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¹ https://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/index.htm



Mariposa County Smoking and Tobacco Use Ordinances

Mariposa County Ordinances on Smoking and Tobacco Use (No. 1112 and No. 1145) protect residents and visitors by restricting smoking, tobacco product and electronic smoking device (“vaping”) in outdoor areas. These ordinances cover entryways to businesses, Outdoor Dining areas, all county owned recreational facilities, community parks and sports fields, and YARTS bus stops.

The ordinances are enforced through signage, fines, public education and communication.

How to Talk to People about Smoking in Restricted Areas

The **S.M.O.K.E.** Approach

It is important to note that most people who violate ordinances are likely to be unaware of the smoking regulations.

The first level of enforcement should be respectful, informing the person of the new ordinance and asking politely that they comply. The success of the ordinance depends on actions of non-smokers and smokers alike. Be considerate and use common sense. The encounter should be positive and not confrontational.

Smile – introduce yourself, be friendly

Make the assumption that the person does not know about the policy. Inform them of the new ordinance ...“you may not know that a new smoking/tobacco use ordinance applies to this property...”

Offer to provide more resources for information about the new ordinance. To learn more, visit the Mariposa County Public Health, Tobacco Education Program website:
www.mariposacounty.org/tobaccoeducation

If it feels comfortable for the situation, tobacco quit information can be given (California Smokers Helpline 1-800-NO-BUTTS www.nobutts.org).

Kindly remind the person, again, of the new ordinance (or Rule or Law, whichever feels comfortable in the conversation).

Enforce the ordinance; again, politely ask the person *not* to light up, or to put out the cigarette, cigar, or turn off the e-cigarette/vaping device they are using. If they ask where they can light up or vape, tell them they need to go off the property, more than 25 feet in any direction from an area in which Smoking is prohibited.

(‘SMOKE’ source: Portland Community College/Multnomah County Health Department, OR)

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