

File Board Policies

MARIPOSA COUNTY RESOLUTION NO. 87-234

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MARIPOSA
PROHIBITING SMOKING IN COUNTY FACILITIES

I
FINDINGS, PURPOSE AND DEFINITION

The Board of Supervisors of the County of Mariposa finds that smoking tobacco in enclosed areas creates a significant health risk for smokers and for nonsmokers who breathe secondhand smoke in such areas. The purpose of this Resolution is to protect nonsmokers and smokers from this significant health hazard. The Board of Supervisors further finds and declares that with respect to smoking, the right of nonsmokers to breathe smoke-free air is paramount to the interest of smokers in breathing smoke. The Board of Supervisors further finds that there is no possibility that the adoption of this Resolution may have a significant effect on the environment. This Resolution is adopted pursuant to Section 25940 et seq. of the Health and Safety Code of the State of California.

"Smoke" and "smoking" mean the burning of tobacco or other combustible substance in any cigar, cigarette, pipe or similar article.

II
SMOKING PROHIBITED

Except as provided in Paragraph III below, a person shall not smoke in any County workplace. "County workplace" means any enclosed building area where County employees work which is owned, leased, operated or used by Mariposa County, including areas where public meetings and/or County committee meetings are conducted. "Smoke" and "smoking" mean the burning of tobacco or other combustible substance in any cigar, cigarette, pipe or similar article.

III
EXCEPTION FOR PLACES OF EMPLOYMENT

A County Department Head may designate one or more smoking areas within a place of employment for County Employees, as smoking areas for employees, if each such area is sufficiently ventilated and adequately separated from the remainder of the enclosed areas so as to reasonably protect nonsmoking employees from secondhand smoke, with the exception of the County Courthouse and

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the Welfare Building where no smoking shall be permitted. No portion of an enclosed area where the presence of nonsmoking employees is necessary or essential to the employees' function shall be designated a smoking area. Each smoking area designated pursuant to this section shall be posted in accordance with this Resolution. The designation of a smoking area pursuant to this paragraph is in effect only while that area is posted.

IV
POSTING REQUIREMENTS

Every smoking area designated pursuant to Paragraph III above, shall be posted with smoking signs depicting the "smoking symbol" (a pictorial representation of a burning cigarette enclosed in a green circle) appearing immediately above the following text:

"Designated Smoking Area"

Each sign shall be conspicuously posted. For the purposes of this Resolution, a smoking sign is deemed to be conspicuously posted only so long as the sign is physically posted as required herein and in such a manner that the existence of the sign is not disguised and the contents of the sign are legible and not obscured from view in any manner or to any degree.

V
ENFORCEMENT

The Mariposa County Safety Officer shall enforce the posting requirement of Paragraph IV of this Resolution. In determining compliance with the posting requirement of Paragraph IV, the Safety Officer shall give primary consideration to the right of nonsmokers to breathe smoke-free air.

PASSED AND ADOPTED this 16th day of June, 1987, by the Board of Supervisors of the County of Mariposa by the following vote:

AYES: BAGGETT, ERICKSON, TABER, DALTON, RADANOVICH,
NOES: NONE

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ABSENT: NONE
ABSTAINED: NONE



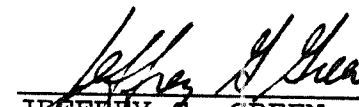
LEROY RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel