

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE AT CHAPTER 9.20 ENTITLED "SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT" TO MODIFY SECTION 9.20.035 REGARDING PROHIBITION OF CHILDREN IN PLACES WHERE SMOKING IS PERMITTED

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** This ordinance is to modify SGC 9.20.035 entitled "Declaration of establishment as nonsmoking – Prohibition of children in places of employment where smoking is permitted" by prohibiting children under the age of 18 to be permitted in any place where smoking is permitted. This ordinance also clarifies presence of children in a club or bar where smoking is allowed.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 9.20.035 is amended as follows (new language underlined; deleted language stricken):


9.20.035 Declaration of establishment as nonsmoking—Prohibition of children in places of employment where smoking is permitted.

Notwithstanding any other provision of this chapter, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 9.20.040 is posted. Children under the age of eighteen shall not be permitted in any place of employment under 9.20.020, or club or bar where smoking is allowed under Section 9.20.030G. and H. Furthermore, no cessation of smoking within the smoking facility shall render this section inapplicable unless such facility permanently deems and declares themselves to be a non-smoking facility. Once the declaration of an establishment, facility, or outdoor area as smoking has been made under this section, it shall not be changed for temporary or special functions.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 8th day of April, 2014.


Mim McConnell, Mayor

ATTEST:


Colleen Ingman, MMC
Municipal Clerk