

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING OCEANSIDE CITY CODE CHAPTER 10 BY THE ADDITION OF SECTION 10A.3(d) REGARDING SMOKING PROHIBITIONS

WHEREAS, the City of Oceanside is concerned with the health affects of smoking and second hand smoke to residents and visitors alike;

WHEREAS, the City of Oceanside is also concerned with the trash and debris that is caused due to smoking;

WHEREAS, the Civic Center Plaza Complex has become a “de facto” smoking area; and

WHEREAS, visitors, staff and, specifically, library patrons experience the negative effects of secondhand smoke at the Civic Center Plaza Complex.

NOW, THEREFORE, the City Council of the City of Oceanside does ordain as follows:

SECTION 1. Subsection (d) is added to Chapter 10A, Section 10A.3 as follows: (d) Smoking prohibited – Civic Center Plaza Complex. Smoking is prohibited and is unlawful at the Civic Center Plaza Complex, including all areas in the Civic Center Plaza Complex bounded by Coast Highway, Civic Center Drive, Nevada Street, and Pier View Way.

SECTION 2. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 3. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance, or the title hereof as a summary, pursuant to state statute, once within fifteen (15) days after its passage in the North County Times, a newspaper of general circulation published in the City of Oceanside.

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1 SECTION 4. This ordinance shall take effect and be in force on the thirtieth (30th) day
2 from and after its final passage.

3 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
4 California, held on the ___ day of _____, 2011, and, thereafter,

5 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
6 Oceanside, California, held on the ___ day of _____, 2012, by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

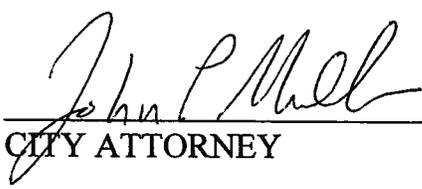
10 ABSTAIN:

11 _____
12 MAYOR OF THE CITY OF OCEANSIDE

13
14 ATTEST:

15 APPROVED AS TO FORM:

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17 _____
18 CITY CLERK

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20 _____
21 CITY ATTORNEY

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