



Legislation Text

File #: 090657., **Version:** 2

PROHIBITING SMOKING AT RTS BUS STOPS AND BUS SHELTERS (B)

Ordinance No. 0-10-05

An ordinance of the City of Gainesville, Florida, relating to outdoor smoking at a City Facility; providing legislative findings, amending Article IV in Chapter 11.5 of the Code of Ordinances; creating new section § 11.5-41.1; prohibiting the smoking of tobacco, or any other weed or plant at all RTS bus stops and bus shelters, and within a certain distance from said stops and shelters, creating new section § 11.5-42.1 providing for the posting of signs; amending §2-339 of the Code of Ordinances to permit enforcement by civil citation; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

The City Commission: 1) authorize a 30 day amnesty period; 2) adopt the proposed ordinance.

The City Commission, at its June 17, 2010 meeting, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance prohibiting the smoking of tobacco, or any other weed or plant at all RTS bus stops and bus shelters, and within 20 feet from said stops and shelters. The ordinance does not prohibit passengers in vehicles, or people walking by bus stops or bus shelters from smoking, so long as they are actively passing from one destination to another. The ordinance also does not prohibit one who is lawfully occupying private real property within 20 feet of a bus stop or bus shelter from smoking. The ordinance authorizes the City Manager to install “no smoking” signage at RTS bus stops and bus shelters. The ordinance provides that the penalty for a violation of the ordinance is a civil citation and a fine of \$75.00. Nothing in the proposed ordinance will conflict with the prohibition of smoking within 1000 ft. of school zones.

If adopted, the proposed ordinance will take effect immediately. In order to allow the City Manager adequate time to erect signs and undertake an informational campaign, we recommend the City authorize a 30 day amnesty period.