



MEMORANDUM

To: Mayor and City Council

From: Kenneth M. Griffin, P.E., Director of Engineering/Public Works

Date: August 23rd, 2016

Reference: Smoking Ordinance

2030: Community Wellness & Enrichment

General Information:

- Amending Chapter 9 'General Regulations', Article 9-14 'No Smoking Ordinance' in its entirety and replacing it with a new Chapter 9, Article 9-14, "No Smoking" by eliminating smoking in common areas, at city-sponsored events and city-owned facilities.
- Provide limited areas of smoking in restaurants and on restaurant patios.
- The new ordinance will include regulation of electronic nicotine devices.
- This ordinance was created based on the Wellness Committee and business community recommendation.

Introduction:

This item is being presented to the Council to repeal Chapter 9 'General Regulations', Article 9-14 'No Smoking Ordinance' in its entirety and replacing it with a new Chapter 9, Article 9-14, "No Smoking". The new ordinance will eliminate smoking in common areas, at city-sponsored events, city-owned facilities, places of employment and will allow limited areas of smoking in restaurants and certain outdoors areas. The intent of the ordinance is to reduce general public exposure to secondhand smoking and establish smoke free zones around city buildings and places of employment.

Analysis:

Staff considered Wellness Committee and business owner recommendations before writing this ordinance. The Wellness Committee requested that we redefine some terms such as smoking to include electronic nicotine devices, and to prohibit smoking at city-sponsored events and city-owned facilities. Business owners wanted to see an ordinance that is similar to surrounding cities and to provide them with the freedom to smoke on patios. Staff surveyed 13 surrounding cities and used their ordinances as a guide to create City of Coppell ordinance.

An 'e-cigarette' is a device used to simulate the experience of smoking. In our current ordinance there is no mention of *e-cigarette*, so this ordinance defines *e-cigarette* and the act of smoking to include any technology that simulates the experience of smoking.

Surveying surrounding cities ensures that our ordinance is consistent with their ordinances and makes it easier for our business owners to comply. This ordinance ensures that our residents are protected from the danger of secondhand smoke.

Legal Review:

Agenda item was reviewed by City Attorney on 8/18/2016.

Fiscal Impact:

n/a

Recommendation:

The Engineering Department will bring the Ordinance back for approval at a future Council meeting.