

ORDINANCE NO. 866
(AS AMENDED THROUGH 866.1)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, REGULATING SMOKING ON COUNTY PROPERTY

The Board of Supervisors of the County of Riverside, State of California, Ordains as Follows:

Section 1. Purpose.

The purpose of this ordinance is to prohibit the smoking of tobacco on property owned or leased by the County of Riverside, except in designated smoking areas. In order to serve the public health, safety and welfare, this ordinance is intended to protect nonsmokers to the maximum extent possible from the health hazard, annoyance and discomfort of second hand smoke in public places. This ordinance is intended to be supplemental to Government Code section 7597 and Board of Supervisors Policy A-23 which already prohibits smoking in public buildings.

Section 2. Definitions.

As used in this ordinance, the following terms shall have the meanings set forth herein:

“County Property: means any building or structure owned, leased or otherwise operated by the County of Riverside and the land appurtenant to that building or structure.

“Smoking” means the carrying or holding of a lighted pipe, cigar or cigarette of any kind, or any other lighted smoking equipment or the lighting or emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.

“Smoking Area” means a specific area of County Property designated by the Director of Facilities Management and posted to allow Smoking.

“Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or already harvested, including the seeds thereof. “Cannabis” also means cannabis as defined by Business and Professions Code section 26001 and Health and Safety Code section 11018. “Cannabis” does not mean “industrial hemp” as defined by Food and Agricultural Code section 81100 or Health and Safety Code section 11018.5.

Section 3. General Prohibition.

Smoking is prohibited on all County Property, whether enclosed or unenclosed, except in a Smoking Area. The smoking of cannabis is prohibited on all County Property, whether enclosed or unenclosed.

Section 4. Designation of County Property as a Smoking Area.

The Director of the Riverside County Department of Facilities Management may designate a specific area of County Property as a Smoking Area after posting appropriate signage.

Section 5. Posting of Required Signs.

A. Prior to imposing a fine, as set forth in Section 6, the County Property shall be posted with signs, which provide substantially as follows:

Smoking on County Property is prohibited by Riverside County Ordinance No. _____, except in designated and posted areas. Any violation is punishable by a fine of \$25.00 for the first offense.

B. Signs prohibiting Smoking on County Property shall be in plain view from the entrance to the property or building. Signs so posted shall be not less than seventeen inches by twenty-two inches in size with lettering not less than one inch in height.

Section 6. Violations - Penalty.

Any violation of this chapter is deemed an infraction, punishable by a fine of twenty-five dollars. A second violation of this chapter shall be punishable by a fine of fifty dollars. The third and any additional violations perpetrated by the same person shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both.

Section 7. This ordinance shall take effect thirty (30) days after its adoption

Adopted: 866 Item 3.25 of 05/01/07 (Eff: 05/31/07)
 866.1 Item 3.12 of 09/12/17 (Eff: 10/12/17)