# Chapter 5.05 Smoking Prohibited in City Structures, Vehicles and Watercraft

Sections:

5.05.010 Legislative Intent.
5.05.020 Definitions.
5.05.030 Prohibition.
5.05.040 Penalties.

5.05.010 Legislative Intent.
It is the intent of this provision to accommodate and protect the public health and welfare of those who do not desire to be exposed to second hand smoke while completing City business or performing City employment responsibilities. (Ord. 03-36(A), 2003.)

5.05.020 Definitions.
a. The term "smoking" means and includes the inhaling, exhaling, burning or carrying of any lighted smoking equipment or paraphernalia for tobacco or any other weed or plant.
b. The terms "public buildings and other areas owned or operated by the City", does not include public sidewalks and streets, unless located within fifty (50) feet of a petroleum fuel dispensing facility. (Ord. 03-36(A), 2003.)

5.05.030 Prohibition.
No person shall smoke any tobacco product and no person shall smoke any other substance in any public building owned or operated by the City or of its departments. This prohibition applies to City Hall, the Police Station, the Fire Hall, Public Works Facilities, Animal Shelter, Library, Port and Harbor Buildings, Airport Terminal and any other buildings owned or occupied by the City. This prohibition also applies to all City owned or leased vehicles or watercraft as follows: a. Smoking in any form is objectionable to many and shall not be permitted in any public buildings owned by the City of Homer or leased by the City as Lessee and in all motor vehicles or watercraft owned, rented, leased or used by the City of Homer, or by any departments, council, commissions, or other agencies of the City. This would exclude public sidewalks, streets, public parks, other outdoor areas, and leased properties in which the City is the Lessor. b. The City shall designate a "smoking area" outside City owned buildings and facilities, in which areas for smoking by non-minors shall be allowed A smoking area shall be situated no closer than fifteen feet from premise entrances, open doors or windows. c. Smoking shall be prohibited on City owned properties located within fifty (50) feet of a petroleum fuel dispensing facility. d. The person in charge of City areas listed above shall make reasonable efforts to prevent smoking in those areas in which smoking is not allowed and shall post "No Smoking and Warning" signs conspicuously in these areas. e. The person in charge of a City area listed above shall post signs in those areas in which smoking is allowed. f. It is the intention of the Homer City Council that the provisions of this Ordinance shall become and made part of the Homer City Code, Homer, Alaska, and the sections of this ordinance may be renumbered to accomplish such intention. (Ord. 03-36(A), 2003.)

5.05.040 Penalties.
Any person who violates the provisions of Section 3 shall be fined a sum of $25.00.(Ord. 03-36(A), 2003.)

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