

**ORDINANCE NO. 20215**

**AN ORDINANCE CONCERNING PROHIBITED SMOKING;  
AMENDING SECTIONS 6.230, AND 6.240 OF THE EUGENE  
CODE, 1971; AND PROVIDING AN EFFECTIVE DATE.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** Subsections (2)(g) and (3) of Section 6.230 of the Eugene Code, 1971, are amended to provide:

6.230            Smoking Prohibited in Public Places and Places of Employment.

(2)            Smoking is prohibited in all public places and all places of employment within the city, including, but not limited to the following:

(g)            All restaurants, taverns, bars, cocktail lounges and bingo parlors.

(3)            Employers are required to provide for all employees a place of employment in which employees are not exposed to the smoking of others.

**Section 2.** Subsections (d) and (e) of Section 6.240 of the Eugene Code, 1971, are amended, and subparagraph (f) is deleted therefrom, to provide:

6.240            Smoking Prohibited - Exceptions. The restrictions set forth in sections 6.230 and 6.235 of this code do not apply to:

(d)            Retail tobacco stores; or

(e)            Designated smoking entrances.

**Section 3.** The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

**Section 4.** Notwithstanding the amendments to section 6.230 of the Eugene Code, 1971, no citation or administrative civil penalty for violation of section 6.230 shall be issued or imposed where an owner or manager has, by the date of implementation of the amendments to section 6.230, commenced construction of an outdoor seating area. “Commenced construction” for purposes of

this section means that the owner or manager submitted a building permit application that the City accepted as complete. This exception will continue for as long as the construction is progressing at a reasonable pace, or until the permit application is rejected by City staff, or until the construction is complete, but in no case shall the exception continue beyond 180 days after implementation of section 6.230 of the Eugene Code, 1971.

**Section 5.** Pursuant to the provisions of the Eugene Charter of 1976, this Ordinance shall become effective 30 days after its passage by the City Council and approval by the Mayor except as provided below. No citation for violation of Sections 6.230 to 6.240 of the Eugene Code, 1971 shall be issued, nor shall any administrative civil penalties be imposed for violation of any of those sections prior to July 1, 2001.

**Passed by the City Council this**

**13<sup>th</sup> day of November, 2000**

/s/ Kathleen A. Fieland

**City Recorder**

**Approved by the Mayor this**

**13<sup>th</sup> day of November, 2000**

/s/ James D. Torrey

**Mayor**