

MOTION BY SUPERVISORS SHEILA KUEHL AND
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October 2, 2018

Closing the loopholes of existing County smoke-free ordinances and policies

On July 31, 2018 the County Board of Supervisors directed the Department of Public Health, in consultation with County Counsel, to report back with recommendations to close loopholes that exist in the County’s current smoke-free ordinances. The Board asked for recommendations to:

- A. include e-cigarettes and vaping products in the existing County smoke-free ordinances;
- B. include marijuana in the existing County smoke-free ordinances; and
- C. strengthen and broaden the County's existing smoke-free ordinances to reflect best practices and promising policy innovations.

The requested report, received on August 22, 2018, provides several recommendations to protect public health and mitigate exposure to tobacco and cannabis smoke in unincorporated Los Angeles County. The report highlights that e-cigarettes are not emission-free and that their pollutants can cause health problems for both users and those exposed to secondhand smoke. Additionally, secondhand

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cannabis smoke contains fine particulate matter that can pose a risk to non-smokers. Furthermore, given the recent legalization of recreational cannabis in California (Proposition 64), secondhand smoke exposure from cannabis is expected to rise significantly. In an effort to protect the health of the County's residents, the Board should adopt the recommendations from the August 22nd report and update our local ordinances to address the emerging threats posed by electronic cigarettes and the increased availability of cannabis. However, as the County considers ordinance changes designed to reduce exposure to secondhand smoke, we also need to be careful not to inadvertently create new barriers to care for our most vulnerable clients.

WE, THEREFORE, MOVE that the Board of Supervisors take the following actions:

- 1) Direct the County Counsel, in consultation with the Department of Public Health, to take necessary steps to amend Title 2 and Title 11 of the Los Angeles County Code, as follows:
 - a) Amend Title 2 and Title 11 to update existing definitions of "smoke" and "smoking" to include recreational cannabis and electronic smoking devices that create an aerosol or vapor, in any manner or in any form;
 - b) Amend Title 11 to prohibit smoking of any kind at all outdoor dining areas of restaurants and bars in the unincorporated areas of Los Angeles County; and
 - c) Amend Title 2 to prohibit outdoor smoking of any kind at or on accessible ramps, outdoor patios or seating areas and walkways to

and from buildings and within 20 feet of any main entry or exit door or operable window of County owned facilities.

- 2) Instruct County Counsel to submit the proposed amendments to the Board of Supervisors for approval in 120 days.

S: AA&ES/Closing the loopholes of existing County smoke-free ordinances and policies