



Lane Transit District
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LTD RESOLUTION NO. 2013-007

ASKING THE CITY OF EUGENE TO ADOPT AN ORDINANCE TO
AMEND SECTION 2.225 AND SUBSECTION (2) OF SECTION 6.230
OF THE EUGENE CODE, 1971

WHEREAS, Section 6.230 (2) of the Eugene Code, 1971, prohibits smoking within twenty-five feet of all public places and all places of employment within the city;

WHEREAS, Section 6.225 of the Eugene Code, 1971, defines public place as “any enclosed area to which the public is invited or in which the public is permitted including, but not limited to, banks, education facilities, health facilities, laundromats, public transportation, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms. A private residence is not a ‘public place’ unless it is used as a child care, adult day care, or health facility,” and

WHEREAS, the Lane Transit District desires to extend the smoking prohibition set forth in Section 6.230 (2) of the Eugene Code, 1971 to the Eugene Station, which for the purposes of this section includes the city block east of Olive Street, west of Willamette Street, south of West 10th Avenue and north of West 11th Avenue, including any indoor or outdoor waiting areas, plazas, walkways, wind or rain shelters, bike storage facilities, buildings, concession areas, and the sidewalks extending to the curb. Notwithstanding the foregoing prohibition, a private establishment located within this block may have a designated outdoor smoking area if it complies with other provisions of this code and any rules adopted by the City Manager to implement this section.

NOW, THEREFORE, BE IT RESOLVED that the Lane Transit District Board of Directors passes a Resolution asking the City of Eugene to adopt an Ordinance:

To amend the definition of public place in Section 2.225 of the Eugene Code, 1971 to provide as follows:

6.225 Definitions.

Public place. Any enclosed area to which the public is invited or in which the public is permitted including, but not limited to, banks, education facilities, health facilities, laundromats, public transportation, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms.

The Eugene Station, which for the purposes of this section includes the city block east of Olive Street, west of Willamette Street, south of West 10th Avenue and north of West 11th Avenue, including any indoor or outdoor waiting areas, plazas, walkways, wind or rain shelters, bike storage facilities, buildings, concession areas, and the sidewalks extending to the curb. A private residence is not a 'public place' unless it is used as a child care, adult day care, or health facility.

And to further amend Subsection (2) of Section 6.230 of the Eugene Code, 1971 by adding subsection (q) to provide as follows:

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:
 - (q) Eugene Station, which for the purposes of this section includes the city block east of Olive Street, west of Willamette Street, south of West 10th Avenue and north of West 11th Avenue, including any indoor or outdoor waiting areas, plazas, walkways, wind or rain shelters, bike storage facilities, buildings, concession areas, and the sidewalks extending to the curb. Notwithstanding the foregoing prohibition, a private establishment located within this block may have a designated outdoor smoking area if it complies with other provisions of this code and any rules adopted by the City Manager to implement this section.

The proposed Ordinance is set forth in Exhibit A, attached.

February 20, 2013
Date



President, Board of Directors
Lane Transit District