

Disclaimer

This brochure is only a summary of La Mesa Municipal Code Chapter 7.27- Prohibition of Smoking in Certain Areas, and is not a substitute for the actual legal document. To review Ordinance No. 2020-2878 specifics, please refer to Chapter 7.27 of the La Mesa Municipal Code. To obtain a copy of the Ordinance call the La Mesa City Clerk's Office at 619.667.1120.

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Mailing Address:

P.O. Box 937
La Mesa, CA
91944-0937

Administrative Offices:

8130 Allison Avenue
La Mesa, CA 91942

Telephone: 619.463.6611



An informational guide to the

Amended City of La Mesa Smoking Ordinance



When does the Ordinance go into effect?

March 28, 2020

What is a "Public Place"?

Any place, publicly or privately owned, which is open to the general public regardless of any fee or age requirement. Public place includes all City streets and sidewalks, outdoor worksites, and publicly or privately-owned indoor and outdoor areas that are open to the public. Such places include but are not limited to:

- Hotel rooms
- Bars
- Eating establishments
- Recreational areas
- Playgrounds
- Parks
- Common area within multi-unit housing (open to the public)

What is "Smoke" or "Smoking"?

Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation whether natural or synthetic, in any manner or in any form. It includes the use of an electronic smoking device that creates an aerosol or vapor (commonly known as vaping), in any manner or in any form, or the use of any oral device for the purpose of circumventing the prohibition of smoking.

Where is smoking prohibited?

Smoking is prohibited in all public places. No person shall smoke in a public place, a common area within multi-unit housing (open to the public) or enclosed place of employment.

What are the exceptions?

- Twenty percent (20%) of the guestroom accommodations in a hotel, motel or similar transient lodging establishment;
- Retail or wholesale tobacco shops which means any business establishment, the main purpose of which is the sale of tobacco products, including but not limited to, cigars, pipe tobacco and smoking accessories;
- Private smokers' lounges (including hookah bars) which means any enclosed area or facility properly sealed off and ventilated to prevent exposure of smoke to the public from smoking patrons; and
- Any restaurant and/or bar legally operating an outdoor dining and/or smoking facility continuously for adults (21 years or older) for not less than 60 days prior to the effective date of the Ordinance (March 28, 2020)
- Any such facility may continue to operate so long as it is not intentionally discontinued for a period of 90 consecutive calendar days; provided, that such areas are not located or encroaching upon City property or rights-of-way (maintenance, repair and rehabilitation do not constitute intentional discontinuation).

What are the posting requirements?

A sign that reads "No smoking or vaping" shall be clearly, sufficiently and conspicuously posted in the outside window of every building which is open to the public. The sign shall be 8.5 x 11 inches in size or larger with large and easily readable black letters on a white background.

A free downloadable "No Smoking or Vaping" sign is available on the City's website:

www.cityoflamesa.us/smokingordinance.



NO SMOKING OR VAPING



Pursuant to La Mesa Municipal Code Chapter 7.27

What are the penalties?

Any person who violates Chapter 7.27 will be guilty of an infraction. The first violation shall be an official warning. A second violation shall result in a fine of not less than \$100.

