

## LEGISLATIVE DIGEST

[Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events]

**Ordinance amending the San Francisco Health Code by adding Article 19L to prohibit smoking at outdoor events on property owned by the City and County of San Francisco where approval is required under Article 6 of the San Francisco Transportation Code; the San Francisco Transportation Code by amending Sections 6.2 and 6.7 establishing obligations for producers of outdoor events that require approval for temporary use or occupancy of a public street to notify the public that the event is smoke-free; and making environmental findings.**

### Existing Law

San Francisco does not currently prohibit smoking at certain outdoor public assemblies that require approval for street closures under Article 6 of the San Francisco Transportation Code.

### Amendments to Current Law

The proposed ordinance would add Article 19L to the Health Code, prohibiting smoking at certain outdoor public events, such as, but not limited to, street fairs, athletic events, performances, competitions, arts and crafts events, and food events, except for Neighborhood Block Parties. The legislation would require producers of certain outdoor public events to notify the public that the event is smoke-free.

The proposed ordinance would also amend Article 6 of the Transportation Code to condition any permission for the temporary use or occupancy of a public street on compliance with the smoking ban at certain outdoor public events. Additionally, the legislation requires the City to consider an event producer's demonstrated ability to comply with the smoking ban at certain outdoor public events when evaluating applications for a proposed temporary use or occupancy of a public street.

### Background Information

San Francisco has a longstanding interest in preventing disease and promoting the health of the people of San Francisco by making it easier for residents and visitors to avoid secondhand smoke. Scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke, and levels of secondhand smoke exposure outdoors can reach levels attained indoors. This ordinance would further protect the public health and welfare by prohibiting smoking at certain outdoor events and establishing obligations for producers of certain outdoor events to notify the public that the event is smoke-free.