

ORDINANCE NO. 4296

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VI, SECTION 16-127 OF THE
CODE OF ORDINANCES
TO SPECIFY PLACEMENT OF NON-SMOKING SIGNS IN PUBLIC PARKS AND
UNENCLOSED PUBLIC PLACES**

RECITALS:

Ordinance No. 3540 regulating smoking in public places was adopted by City Council on July 2, 2003 and was further amended by Ordinance No. 3829 and Ordinance No. 3914.

Chapter 16, Article VI, Section 16-127 (7) of the Code of Ordinances requires signs to be clearly and conspicuously posted in public places and enclosed areas; however, it does not clearly specify the signage requirements for public parks and unenclosed public places.

This Ordinance is intended to revise Chapter 16, Article VI, Section 16-127 (7) to clarify the requirement for posting adequate "No-Smoking" signs in public parks and unenclosed areas.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GRAND JUNCTION THAT:**

Chapter 16, Article VI, Section 16-127 (7) of the Code of Ordinances, as adopted by this Ordinance No. 4296, is hereby amended to read as follows.

(7) Signs.

- a. Each owner, operator, manager and other person having control of an enclosed area or public place subject to the provisions hereof shall be jointly and severally responsible to clearly and conspicuously post:
 - (i) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it) in every public entrance or other areas where smoking is prohibited by this article.
 - (ii) In public places where smoking is allowed pursuant to this article, a sign with the words "Smoking is Allowed Inside" at each public entrance to, or in a position clearly visible on entering, the enclosed area in which smoking is permitted.
- b. All signs referred to in this Section 16-127 (7) shall be a minimum size of twenty (20) square inches and must be placed at a height of between four to six feet (4' – 6') above the floor.
- c. All signs at public parks or unenclosed public places shall be visible to persons entering from the primary entrance or shall be posted at reasonable intervals along the property boundary. The primary entrance shall be referred to as the location where a sign identifies the park name, hours it is open to the public and other rules and regulations. For purposes of this ordinance "reasonable intervals" shall be presumed to be no less than 300 feet.

ALL OTHER PROVISIONS OF CHAPTER 16, ARTICLE VI SHALL REMAIN IN FULL FORCE AND EFFECT.

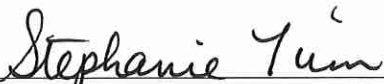
PASSED for first reading and ordered published by the City Council of the City of Grand Junction, Colorado this 15th day of September, 2008.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this 29th day of September, 2008.



President of the Council

Attest:



City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4296 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 15th of September, 2008 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 29th day of September, 2008, at which Ordinance No. 4296 was read, considered, adopted and ordered published in full by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of October, 2008.



Stephanie Tuin, MMC
City Clerk

Published: September 17 2008
Published: October 1, 2008
Effective: October 31, 2008

