

Bill No. 2800-06

No. 32-06-OR

AN ORDINANCE

An Ordinance amending Section 880-1, *et seq.*, of the Allegheny County Code of Ordinances by deleting the restriction applicable to certain properties adjacent to health care facilities.

Whereas, on October 4, 2006, the Chief Executive signed Bill No. 2705-06, which will become effective January 2, 2007 as Sections 880-1 through 880-6 of the Allegheny County Code of Ordinances; and

Whereas, the Chief Executive and County Council believe that the following amendment will clarify the applicability of the recently enacted Allegheny County smoke free legislation to health care facilities within the County;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the Preamble to this Ordinance are incorporated by reference in their entirety herein

SECTION 2. Amendment of Section 880-2.

Section 880-2 of the Allegheny County Code of Ordinances is hereby amended as follows:

§880-2. Smoking Prohibited.

- (a) No person shall smoke or possess a lit tobacco smoke producing instrument in any of the following locations, except as provided in Section 880-02(b) of this Chapter:

* * *

~~(9) On any property adjacent to a health care facility as defined in §880-2(a)(1)(x) that is owned in whole or in part by that health care facility or other entity owning or operating that health care facility.~~

(9) Within fifteen (15) feet of any entrance to any health care facility, as described in §880-2(a)(1)(x) of this Chapter.

SECTION 3. Effective Date.

This Ordinance shall take effect upon the effective date of Ordinance No. 23-06-OR.


SECTION 4. Severability. *If any provision of the Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall continue in full force and effect.*

SECTION 5. Repealer. *Any ordinance or any part of an Ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.*

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

ALLEGHENY COUNTY COUNCIL

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr. 
County Manager

DATE: October 5, 2006

RE: Proposed Ordinance

'06 OCT 5 AM 11:51

Attached is an ordinance amending provisions to Ordinance No. 23-06-OR, which prohibits smoking in certain public places and workplaces, and providing for penalties for violations.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.