

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. 567

An Ordinance amending Ordinance No. 556 by clarifying the scope of the prohibition on smoking in County facilities.

Multnomah County ordains as follows:

Section 1. Findings.

1. Ordinance No. 556 prohibits smoking in County facilities effective January 1, 1988.
2. Ordinance No. 556 defines "County facilities" so as to include enclosed spaces owned, leased or rented by the County as places of employment for County employees.
3. The above definition of "County facility" should not be construed to exclude portions of County-owned or leased spaces that are not occupied by County employees. This narrow interpretation would not reflect the Board's intent in adopting Ordinance No. 556.
4. This amendment is necessary to remove doubt as to the scope of the prohibition on smoking in Ordinance No. 556. The intent is to prohibit smoking in any facility owned or leased in its entirety by Multnomah County, including the Multnomah County Courthouse. Further, where a facility is partly owned or partly leased by Multnomah County, the intent is to prohibit smoking in that part. The smoking prohibition applies regardless of whether any of the above places under County control as owner, lessor or lessee are occupied by non-County personnel. However, the ordinance is not intended to apply to places of employment operated by the State. In those places, the State's non-smoking policy applies.

Section 2. Amendment

Section III(B), Ordinance No. 556 is amended to read:

- (B) "County facility" means an enclosed space that is owned, leased, or rented by the County [as a temporary or permanent place of employment for its employees]. It includes but is not limited to buildings, portions of buildings, cars, and trucks.

Deleted language in brackets.
New language is underlined.

Section 3. Amendment

Section VI, Ordinance No. 556 is amended to read:

The Hooper Detox Center, Mt. Hood Mental Health Clinic and [A]all secure areas of MCD, MCF and the Multnomah County Courthouse Jail are exempt from the nonsmoking policy.

Section 4. Adoption.

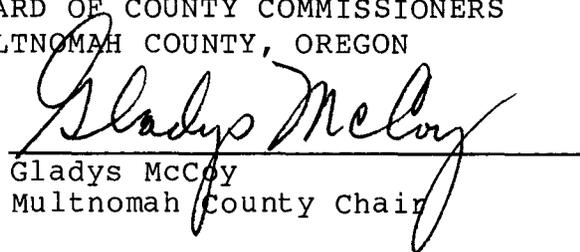
This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 3rd day of December, 1987, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

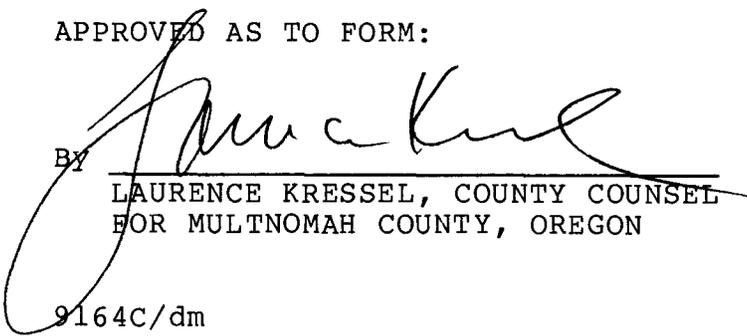
(SEAL)

By


Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

By


LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

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