

In October 2015, the Board of Supervisors protected all county-owned property and parks from secondhand smoke. In Mariposa County, the definition of smoking now includes eCigarettes and Vaping.

Frequently Asked Questions

Mariposa County Smoking and Tobacco Use Ordinance No. 1112

Why was the new ordinance needed?

The overall goal is to make Mariposa County a healthier place to live. The changes were made based on the known health impacts of smoking and secondhand smoke on non-smokers, as well as the unknown health risks due to e-cigarettes and vaporizing.

As is the case in many counties, the previous smoking ordinances contained outdated language that conflicted with what is in the state code. The new ordinance, which went into effect 11/26/15, is current, consistent with state law, and relevant for today. For example, electronic smoking devices ("ESDs") including E-cigarettes and other vaping devices, are now included in the definition of smoking.

To reduce the exposure to harmful effects of secondhand smoke for our community, and especially our children, smoking and/or vaping is prohibited at county parks, community parks, sports fields and YARTS bus stops. ESDs are also prohibited in all smoke-free workplaces subject to the state laws prohibiting smoking.

Where is smoking prohibited in Mariposa County?

In addition to applicable state and federal tobacco laws that affect California, smoking, including electronic smoking devices, is prohibited:

- In enclosed areas of all property, owned, leased or operated by Mariposa County.
- In smoke free workplaces subject to the California Labor Code section 6404.5
- In recreational areas, including County owned parks, community parks, sports fields, the Mariposa Farmer's Market and Mariposa Creek Parkway.
- In service areas, defined as Yosemite Area Regional Transit System (YARTS) bus stops.
- Within 25 feet of any unenclosed area (such as parks or YARTS bus stops) where smoking is prohibited
- Within 25 feet of any entrance, exit, operational window, or air intake vent to any building, where smoking is prohibited.

What about designated areas on County owned grounds? Where can I smoke?

There will not be designated smoking areas on county owned property, or in the Mariposa County park system. You must go off property to smoke, at a distance of at least 25 feet. An exception is when a person is actively passing an area where smoking is prohibited (an example would be a sidewalk), provided smoke does not enter any unenclosed or enclosed area where smoking is prohibited.



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I am a business owner, what am I required to do?

Wherever the ordinance prohibits smoking, owners or employers shall post a conspicuous "No Smoking, No Vaping" or "Tobacco-Free" signs, including signs to designate an area as smoke free within 25 feet, must be posted. Placing ash receptacles (ash cans, ash trays) is not permitted where smoking is prohibited.

I thought e-cigarettes are a good alternative to smoking – why are they included?

It's true that e-cigarettes are often promoted as a safer alternative to smoking traditional cigarettes. However, little is known about the health risks associated with these and other electronic smoking devices, also known as 'vaping'. The devices deliver a vaporized liquid solution of nicotine, and up to 42 other harmful chemicals. These products are not regulated by the FDA and research shows adverse health and safety issues do exist. Until more is known, consumers have no clear answer. For more information visit the National Institutes of Health website at [DrugFacts: Electronic Cigarettes](#).

How will the ordinance be enforced?

There are a variety of enforcement responsibilities outlined in the ordinance. Laws regulating smoking can be largely self-enforcing. Reports have shown that use of proper signage and public education are effective in implementing smoke-free ordinances.

Overall enforcement is the responsibility of the Mariposa County Sheriff's Department, any peace officer or code enforcement official. Penalties are defined as: 1) Each incident of smoking or use of tobacco products in violation of the chapter - \$100 fine, 2) violations are subject to a civil action punishable by a fine of not less than \$250, but not to exceed \$1,000 per violation.

Whom do I contact if I have questions regarding this ordinance?

Contact the Mariposa County Health Department, Tobacco Education Program at 209-966-3689. Information and resources are also available at the Tobacco Education website: www.mariposacounty.org/TobaccoEducation

Where can I get help to quit?

Always check with your health insurance plan first. The California Smokers' Helpline is a great resource available 24 hours day, 7 days/week and is free to all youth and adults in California. **Call 1-800-NO-BUTTS (1-800-662-8887)** or visit www.nobutts.org

For more information, or local resources and group smoking cessation classes, call the Mariposa County Tobacco Education Program at 209-966-3689.

