



Attention: Smoking In Public Places

January 6, 2014

Dear Proprietor:

San Marcos City Council recently amended City Ordinance Chapter 34 Article 5, Division 2, to prohibit smoking in the enclosed areas of all public places and work places. Smoking will only be permitted in outdoor seating areas. The ordinance requires **posting signs** and prohibits smoking within **ten (10) feet** of any entrance or openable window of an enclosed area in which smoking is prohibited.

The ordinance will go into effect on **June 1, 2014** for enclosed areas of all public places, workplaces, bars, lounges and restaurants. If there is a **building permit posted** on this date for construction of outside seating areas to accommodate smokers, the effective date becomes **January 1, 2015, or the date such improvements pass final inspection**, whichever is earlier.

The ordinance requires the **owner** or **operator** of a public place to **take necessary steps to prevent or stop** another person from smoking in an enclosed area of a public place. A person who violates the ordinance commits a Class C misdemeanor and is subject to fines beginning at \$200 for first offence, increasing to \$500 for second offence, and up to \$2,000 for third offence.

To learn more about the Smoking in Public Places Ordinance #2013-66 and review sample sign options, please visit our web site at www.sanmarcostx.gov/smokefree or contact the San Marcos Environmental Health Department at 512-393-8440.

Sincerely,

Mark A. Brinkley, R.S.
Assistant Director, Community Services
Environmental Health