

.ORDINANCE NO. 28016

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
CHAPTER 9.44 OF TITLE 9 OF THE SAN JOSE
MUNICIPAL CODE BY AMENDING SECTION 9.44.045
ENTITLED "AIRPORT SMOKING REGULATIONS"
AUTHORIZING THE DIRECTOR OF AVIATION TO
DESIGNATE SMOKING AND NON-SMOKING AREAS AT
ALL OUTDOOR AREAS AT THE NORMAN Y. MINETA
SAN JOSE INTERNATIONAL AIRPORT**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 9.44.045 of Chapter 9.44 of Title 9 of the San Jose Municipal Code entitled "Regulation of Smoking," is hereby amended to be numbered, entitled and read as follows:

9.44.045 Airport Smoking Regulations

No person shall smoke at the Norman Y. Mineta San Jose International Airport except:

- A. The Director of Aviation may, at his or her discretion, designate rooms for smoking, if such rooms meet the standards set forth in Section 6404.5(d)(13) of the California Labor Code.
- B. Smoking is permitted in rooms within an air terminal building which have been designated by the Director of Aviation as a "smoking allowed employee breakroom".
- C. The Director of Aviation may, at his or her discretion, designate specific locations for smoking and non-smoking areas at all outdoor areas at the Airport.

PASSED FOR PUBLICATION of title this 17th day of April, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CONSTANT, CORTESE,
LICCARDO, OLIVERIO, PYLE, WILLIAMS; REED

NOES: NONE

ABSENT: NGUYEN

DISQUALIFIED: NONE

VACANT: DISTRICT 4

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk