

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

ORDINANCE NO. 2017 - _____

AN ORDINANCE TO AMEND CHAPTER 8.24 OF THE KITTITAS COUNTY CODE

WHEREAS, the Kittitas County Board of Commissioners (BOCC) hereby adopts this Ordinance pursuant to and by the authority of Chapter 70.05 of the Revised Code of Washington and Article 11, §11 of the Washington Constitution to enact regulatory measures to preserve, promote, and improve the public health; and

WHEREAS, the purpose of this Ordinance is to provide for and promote the health, safety, and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of person who will or should be especially protected or benefited by this Ordinance; and

WHEREAS, the provisions of this Ordinance shall be liberally construed for the accomplishment of its purpose; and

WHEREAS, nothing contained in this Ordinance is intended to be nor shall be construed to create or form the basis for any liability on the part of the Board of Health, Kittitas County, or any of its officers, employees, or agents, for any injury or damage resulting from the failure of any person subject to Chapter 8.24 of the Kittitas County Code to comply with this Ordinance, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of the above referenced Chapter on the part of the Board of Health, Kittitas County, or any of its officers, employees, or agents; and

WHEREAS, the BOCC wishes to establish regulations governing the use of cigarettes, electronic cigarettes, and other electronic nicotine delivery systems in Kittitas County facilities and other public places; and

WHEREAS, a public hearing was held on Thursday, August 17, 2017 and the public was provided due notice and opportunity to provide testimony on the proposed ordinance; and

WHEREAS, the BOCC believes that adopting this ordinance would be in the best interest of Kittitas County; and

NOW, THEREFORE, BE IT ORDAINED by the Kittitas County Board of Commissioners that Chapter 8.24 of the Kittitas County Code is amended by creating the following new section.

8.24.075 Kittitas County Event Center smoking and vaping regulation.

1. No person may smoke and/or use an electronic vaping device in any location operated by the Kittitas County Event Center, unless the location has been clearly identified as a designated smoking and or vaping area, at any time in which the Board of County Commissioners has declared the necessity for such regulation.
2. Designated smoking and/or vaping area regulations shall always be in effect during the Kittitas County Fair and may be invoked at any other event held at the Kittitas County Event Center that is open to the public when a smoking and/or vaping regulation is found to be in the best interest of public health, safety, and welfare.
3. Regulation assessment criteria includes, but is not limited to, enhanced fire protection and control and certain weather conditions that make it difficult to control exposure to non-smokers and/or non-vaping device users.
4. The Board of County Commissioners may invoke the smoking and/or vaping regulation by resolution any time prior to the commencement of any qualifying event.
5. The Kittitas County Event Center shall post signs consistent with this chapter limiting smoking and/or vaping as appropriate under this chapter. Signs shall be posted conspicuously at building entrances and in other prominent locations throughout the Kittitas County Event Center.

ADOPTED this _____ day of _____, 2017.

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Paul Jewell, Chairman

Laura Osiadacz, Vice-Chairman

Obie O'Brien, Commissioner

ATTEST:
CLERK OF THE BOARD

Julie Kjorsvik

APPROVED AS TO FORM:

Deputy Prosecuting Attorney