

ARTS, PARKS, HEALTH, AGING AND RIVER COMMITTEE REPORT relative to the amendment of Sections 41.50 and 63.44 of the Los Angeles Municipal Code (LAMC) to revise the definition of smoking to include electronic smoking devices and to revise various provisions regarding the prohibition of smoking in certain places.

Recommendations for Council action, as initiated by Motion (O'Farrell - Koretz - Parks):

1. REQUEST that the City Attorney amend the proposed draft Ordinance, dated January 8, 2014 and attached to the Council file, to include parallel exemptions for the use of electronic smoking devices at vaping lounges in keeping with similar uses for cigar lounges; and to exclude theatrical production sites similar to the exemptions that already exist for smoking tobacco at locations used for production filming by the entertainment industry for theatrical purposes only.
2. APPROVE non-substantive technical revisions to the final draft ordinance.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On February 24, 2014, your Committee considered a City Attorney report and Ordinance in response to Motion (O'Farrell - Koretz - Parks) relative to the amendment of Sections 41.50 and 63.44 of the LAMC to revise the definition of smoking to include electronic smoking devices and to revise various provisions regarding the prohibition of smoking in certain places. The report, Ordinance and Motion, attached to the Council file, contain additional details on this issue.

During the discussion of this item, the City Attorney provided an overview of the proposed Ordinance and responded to questions from the Committee members. The Committee then considered comments by Councilmembers Koretz and Parks as well as representatives from the Los Angeles County Department of Public Health and the Los Angeles Unified School District (LAUSD) Board. The Committee also considered comments from the Executive Director of Americans' for Non-Smokers' Rights; the Assistant Professor in Residence, Division of General Internal Medicine and Health Services Research, Department of Medicine, University of California Los Angeles; the Associate Professor in Preventive Medicine and Sociology, Institute for Health Promotion and Disease Prevention Research, Keck School of Medicine, University of Southern California; and the LAUSD Health Education Program representative. The Committee further considered comments from numerous public members who spoke in favor and against the proposal.

After additional discussion, the Committee recommended that Council request the City Attorney to amend the proposed draft Ordinance, dated January 8, 2014 and attached to the Council file, to include parallel exemptions for the use of electronic smoking devices at vaping stores and theatrical production sites similar to the exemptions existing for the smoking of tobacco at these locations; and approve non-substantive technical revisions to the final draft ordinance, as reflected above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ARTS, PARKS, HEALTH, AGING AND RIVER COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
LABONGE:	YES
BUSCAINO:	YES
CEDILLO:	ABSENT
PRICE:	YES

N/Docs/reports:mle
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