



# County of Los Alamos

Los Alamos, NM 87544  
www.losalamosnm.us

## Council Meeting Staff Report

October 29, 2019

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**Agenda No.:** A.  
**Indexes (Council Goals):**  
**Presenters:** Katie Thwaites  
**Legislative File:** CO0572-19b

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### Title

Incorporated County of Los Alamos Code Ordinance 02-300; An Ordinance Amending Chapter 18, Article IV, of the Code of Ordinances of the Incorporated County of Los Alamos to Bring it into Compliance with Recent Changes Made to the Dee Johnson Clean Indoor Air Act to Include E-Cigarettes and Expand the Scope of the Definitions of "Secondhand Smoke" and "Smoking"

### Recommended Action

**I move that the County Council adopt Incorporated County of Los Alamos Code Ordinance 02-300; and ask staff to assure that it is published in summary form.**

### County Manager's Recommendation

The County Manager recommends that Council adopt Incorporated County of Los Alamos Code Ordinance 02-300.

### Body

The Incorporated County of Los Alamos has had a Code ordinance addressing smoking in public places and prohibiting smoking in all County-owned structures since at least 1994. In 2007, the New Mexico State Legislature enacted the Dee Johnson Clean Indoor Air Act to address the issue of smoking and secondhand smoke in public places. In March, 2015, the Council approved Code Ordinance 02-254, which amended Chapter 18, Article IV of the Code in order to bring the County Ordinance into compliance with the Dee Johnson Clean Indoor Air Act regarding smoking in public places. During this last legislative session, the State of New Mexico again amended the Dee Johnson Clean Indoor Air Act to include e-cigarettes. The County wishes to remain in compliance with state law, thereby introducing the attached Code Ordinance 02-300 which amends Chapter 18, Article IV of the Code to include e-cigarettes and expand the scope of the definitions of "secondhand smoke" and "smoking" in accordance with the changes made in House Bill 256 during this last legislative session.

### Alternatives

Council could decide not to amend the ordinance.

### Fiscal and Staff Impact/Unplanned Item

There is no fiscal impact associated with the subject Code Ordinance 02-300.

### Attachments

A - Notice of Publication

B - Incorporated County of Los Alamos Code Ordinance No. 02-300