

§ 9.11.110 SMOKING PROHIBITED IN OUTDOOR DINING AREAS.

A. *Prohibition.* Smoking is prohibited in all Outdoor Dining Areas located on private or public property, including the public right-of-way. Smoking is further prohibited in all non-enclosed areas within five (5) feet of any Outdoor Dining Area, except while actively passing on the way to another destination. Outdoor Bar Patios are exempted from the provisions of this Section, provided the smoke does not enter adjacent areas in which smoking is prohibited by law or by the owner, lessee, or licensee of the adjacent property.

B. *Posting of Signs.* Every Outdoor Dining Area subject to the prohibition set forth in subsection (A) above must have one or more conspicuously displayed signs stating that smoking is prohibited in the Outdoor Dining Area. Such signs must have text and/or graphics to clearly indicate that smoking is prohibited in the Outdoor Dining Area and include an appropriate Culver City Municipal Code citation. Any text must be clearly contrasted with the background and must be a minimum of one inch in height. The text must state "No Smoking," "Smoke Free Area," or another phrase to clearly indicate that smoking is prohibited. Any graphics must be substantially similar to the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it. Such signs shall be posted in a quantity and manner reasonably likely to inform individuals occupying the Outdoor Dining Area that smoking is prohibited within the Outdoor Dining Area and must be made of permanent, weather resistant materials.

C. *Time of Posting.* Every business or property subject to subsection (A) above shall post the signs required by this Section within thirty (30) days of the effective date of this Chapter. Every business or property which becomes subject to the provisions of this Chapter after its effective date shall post the required signs immediately upon commencing operations.