

BILL NO. 2824

ORDINANCE NO. 2642

**AN ORDINANCE ADOPTING AND ENACTING THE INDOOR CLEAN AIR CODE,
AS ENACTED BY ST. LOUIS COUNTY.**

WHEREAS, The City of Chesterfield seeks to promote the health, safety and welfare of the residents of the City of Chesterfield by decreasing exposure to secondhand smoke and creating smoke-free environments for workers, patrons and visitors to places of employment and all other public places within the City; and

WHEREAS, St. Louis County has enacted The Clean Air Code by enacting Ordinance No. 24105; and

WHEREAS, The City Council of the City of Chesterfield believes that adopting the Clean Air Code, as enacted by St. Louis County, will promote the health, safety and welfare of the residents of the City of Chesterfield,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Chesterfield hereby adopts the St. Louis County Clean Air Code as enacted by St. Louis County pursuant to St. Louis County Ordinance 24105, Sections 605.020, 605.030, 605.040, 605.050, 605.055, 605.060 (a)-(i), 605.070 and 605.075, as adopted on August 25, 2009, as the Clean Air Code of the City of Chesterfield.

Section 2. In order to enhance the public health and prevent the entrance of disease in the City of Chesterfield, the provisions of this chapter shall apply within the City of Chesterfield, Missouri.

Section 3. Valid certificates of exemption issued by the St. Louis County Department of Revenue shall be honored by the City of Chesterfield.

Section 4. This chapter shall be enforced by the City of Chesterfield, the St. Louis County Department of Health and by any authorized designee of the St. Louis County Director of the Department of Health.

Section 5. Penalties

1. Every person who shall be convicted of a violation of this Ordinance shall be fined not more than fifty dollars (\$50.00) for each offense.
2. A person who owns, manages, operates, or otherwise controls a public place or place of employment and who shall be convicted of a violation of Section 7 of this Ordinance shall be fined as follows:
 - a. A fine not exceeding one hundred dollars (\$100.00) for a first violation,

- b. A fine not exceeding two hundred dollars (\$200.00) for a second violation within one (1) year.
 - c. A fine not exceeding five hundred dollars (\$500.00) for each additional violation within one (1) year.
3. Each day on which a violation of this chapter occurs shall be considered a separate and distinct violation.

Section 6. Each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof. In the event that any part of this Ordinance shall be determined to be unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 7. This Ordinance shall be in full force and effect after passage and approval as required by law.

Passed and approved this 23rd day of February, 2011.

Bruce Harshbarger
Acting MAYOR /

ATTEST:

Audrey A. Naggar
CITY CLERK

First Reading Held 2/7/11