

NORTH COUNTY TRANSIT DISTRICT
ORDINANCE NO. 1

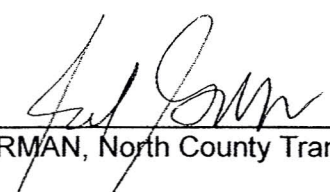
An Ordinance Prohibiting Smoking on North County Transit District Vehicles and at Transit Facilities

The Board of Directors of the North County Transit District does ordain as follows:

Section 1:

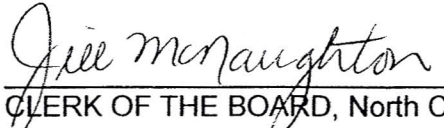
The Board hereby adopts the Ordinance Prohibiting Smoking on North County Transit District Vehicles and at Transit Facilities attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED at the regular meeting of the Board of Directors of the North County Transit District this 16th of October, 2008.



CHAIRMAN, North County Transit District

ATTEST:



CLERK OF THE BOARD, North County Transit District

EXHIBIT A
NORTH COUNTY TRANSIT DISTRICT
ORDINANCE NO. 1

An Ordinance Prohibiting Smoking on North County Transit District Vehicles and at Transit Facilities

The Board of Directors of the North County Transit District ("NCTD") does ordain as follows:

Section 1:

The Board hereby adopts Ordinance No. 1 to read as follows:

Section 1.1: Findings

All rights, privileges, licenses and permits, express or implied, for the use of NCTD facilities are revocable and are conditioned upon the observance of this ordinance and any other applicable rules and regulations adopted by NCTD. Smoking of tobacco is a positive danger to health and a cause of material discomfort and a health hazard to those who are present in areas where tobacco is being smoked. The United States Surgeon General has concluded that smoking tobacco can lead to numerous diseases for the smoker as well as others, as there is no risk-free level of exposure to second-hand smoke, the smoke created by another individual smoking tobacco. As such, NCTD desires to prohibit smoking on NCTD Vehicles and at NCTD Transit Facilities, as those terms are defined herein.

Section 1.2: Definitions

The following terms as used in this Ordinance shall have the following meaning:

- A. Bus - A "Bus" is any motor vehicle, other than a motortruck or truck tractor, designed for carrying more than 10 persons including the driver, and used or maintained for the transportation of passengers.
- B. Bus Stop - A "Bus Stop" is a designated area marked by a sign depicting a specific route number, or numbers, for the loading and unloading of passengers from, or onto, a bus, which may or may not include a bench or shelter
- C. NCTD Transit Facility - An "NCTD Transit Facility" includes, but is not limited to, transit centers, rail stations and bus stops on public or private property.
- D. NCTD Vehicle - "NCTD Vehicle" shall mean Buses and Trains or any form of public conveyance utilized, owned, or controlled by NCTD.
- E. Train - A "Train" is a vehicle operated upon rails.
- F. Rail Station - A "Rail Station" is a designated area marked by a sign depicting a NCTD Rail line for the loading and unloading of passengers from, or onto, a train, which may or may not include a bench or shelter.
- G. Transit Center - A "Transit Center" is a designated area marked by a sign depicting an NCTD facility for the loading and unloading of passengers from, or onto, a bus or train, which may or may not include a bench or shelter.

Section 1.3: No Smoking at Any NCTD Facility, Bus Stop or Train Station

No person shall smoke any materials, whether tobacco or any other product using any device, cigarette, cigar, pipe, or any other apparatus, or utilize any smoking device, cigarette, cigar, pipe or other apparatus at the following locations owned, operated, or controlled by NCTD:

- A. At, or within 25 feet, of any Transit Facility
- B. On any NCTD Vehicle.

Section 1.4: No-Smoking Signs

No-smoking signs shall be posted at all Transit Facilities and on NCTD Vehicles.