

**ORDINANCE NO. 9817 (N.S.)**

**AN ORDINANCE AMENDING SECTIONS  
41.118 AND 41.140 OF THE SAN DIEGO  
COUNTY CODE RELATING TO  
SMOKING AND OVERNIGHT  
CAMPING IN COUNTY PARKS**

**Section 1.** The Board of Supervisors finds that smoking and exposure to second-hand smoke increases the risk of disease and decreases the non-smoker's enjoyment of County parks. The Board further finds that smoking in County parks may cause fires that endanger both people and property, and that cigarette butts are a significant component of litter in County parks. The Board further finds that prohibiting smoking in County parks will reduce these threats, protect the health and safety of County residents and protect the environment. The Board further finds that minor changes to clarify the requirements for overnight camping are also necessary.

**Section 2.** Section 41.118 of the San Diego County Code is hereby amended to read as follows:

**SEC. 41.118 FIRE HAZARDS AND SMOKING.**

(a) No person shall ignite or permit to be ignited, a fire in any location in a County park except in a designated campfire ring or barbeque provided by the County or as specifically authorized by the Park Ranger. No person shall throw away any burning or combustible material or other matter that could set fire to grass, shrubs, buildings or any other combustible substance.

(b) No person shall smoke in a County park. The term "smoke" shall have the same definition as provided in section 32.802(a) of this code.

(c) If a person violates subsection (b) above, a Park Ranger may, without refunding any fees paid, immediately revoke any park permits issued to the person or the group of which the person is a part and require the person or group to vacate the park premises. Failure to obey a Park Ranger's order to leave a County park is a misdemeanor.

**Section 3.** Section 41.140 of the San Diego County Code is hereby amended to read as follows:

The Director shall designate by regulation those County parks in which overnight camping is permitted, the duration of such camping, and the fees to be paid. No person

shall camp in any County park without having first paid the established fee and obtained a permit from the Park Ranger authorizing camping. All fees shall be payable in advance and no refunds shall be made. The applicant for a camping permit shall furnish to the Park Ranger all information required by the Director to obtain the camping permit. Non-payment of fees shall be considered abandonment of the camp site, and property remaining there will be disposed as specified in Section 41.148 of this Article.

**Section 4.** This ordinance shall take effect and be in force and effect 30 days after its passage, and before the expiration of 15 days after its passage, a summary hereof shall be published once with the names of the members of the Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 13th day of December 2006.