

Smoking is prohibited in ---

(4) Areas in dedicated parks or other publicly accessible areas that are within twenty (20) feet of bleachers, backstops, or play structures.

(k) "Smoking" means the combustion of any cigar, cigarette, tobacco or any similar article.

(l) "Tobacco product" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, smoking tobacco, and smokeless tobacco.

(m) "Tobacco store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental.

(n) "Tobacco vending machine" means any electronic or mechanical device or appliance the operation of which depends upon the insertion of money, whether coin or paper bill, or other thing representative of value, which dispenses or releases a tobacco product and/or tobacco accessories.

(o) "Workplace" means any enclosed area of a structure or portion thereof used as a place of employment.

SECTION 3. Section 9.14.070 of Chapter 9.14 of the Palo Alto Municipal Code is hereby amended to read as follows:

**9.14.070 Exemptions.** The following places and workplaces are exempt from Sections 9.14.020:

(a) Bars to the extent and in the manner provided in California Labor Code section 6404.5;

(b) Bingo games, licensed pursuant to the Palo Alto Municipal Code, which do not permit access by minors under 18 years of age;

(c) Any property owned or leased by other governmental agencies;

(d) A fully enclosed room in a hotel, motel, other transient lodging establishment similar to a hotel, motel, or public convention center which is being used entirely for a private function and which is not open to the general public, except while food or beverage functions are taking place, including setup, service, and cleanup activities, or when the room is being used for exhibit purposes, sixty five per cent (65%) of the guest rooms in a hotel, motel, or similar transient lodging establishment, and