



Telephone (703) 971-6262
Fax (703) 971-3032
E-mail: leedist@fairfaxcounty.gov
Web site: www.fairfaxcounty.gov/lee

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX



6121 Franconia Road
Alexandria, VA 22310

JEFFREY C. MCKAY
LEE DISTRICT SUPERVISOR

Board Matter

July 27, 2010

Madam Chairman—it has recently come to my attention that while we have a County ordinance that prohibits smoking in County buildings, we have not addressed the issue of smoking in our County-owned bus shelters.

We are all aware of the health implications of breathing second hand smoke and that alone would be sufficient reason for us to prohibit smoking in bus shelters. There's another compelling reason. At a time when we are doing everything we can to encourage the use of transit, imagine how unpleasant breathing smoke in a crowded bus shelter would be, certainly not something that would make you want to use transit.

The County owns a majority of the bus shelters located within its borders. The Virginia Clean Air Act requires the provision of 'reasonable no-smoking areas, considering the nature of the use and the size of the building in any building owned or leased by the Commonwealth or any agency thereof or a locality.' Furthermore, bus shelters qualify as 'buildings' under the Virginia Uniform Statewide Building Code.

Therefore, I ask that staff draft an ordinance to prohibit smoking in the County-owned bus shelters and bring it to the Board for consideration. Should the Board adopt such an ordinance, I also request that staff prepare letters for signature by the chairman VDOT and WMATA notifying them that they are required by Virginia law to regulate smoking in the bus shelters they own.

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