

# Secondhand Smoke Protections Ordinance

Exposure to Secondhand Smoke (SHS) is linked to many illnesses, including lung cancer and heart disease. Among children, SHS is also associated with serious respiratory problems, including asthma, pneumonia and bronchitis, sudden infant death syndrome, and low-birth weight. Protecting workers and the public from the effects of Secondhand Smoke remains a high priority for the Tobacco Prevention Project and Tobacco Prevention Coalition.

In 2006, the Contra Costa County Secondhand Smoke Protections Ordinance for all of the unincorporated areas of the county was adopted by the County Board of Supervisors. The Board of Supervisors continues to strengthen this ordinance as new evidence demonstrates that additional protections are needed. This law was passed based on scientific studies from CAL-EPA (California Environmental Protection Agency, 2006) and the Surgeon General's Reports (2006 and 2010) that clearly show that secondhand smoke is a health risk.

**NEW!** Multi-unit housing in unincorporated areas Contra Costa is going smoke-free starting July 1, 2018.

- Every lease and other rental agreement for the occupancy of a dwelling unit in a multi-unit residence that is entered into, renewed, or continued month-to-month must include that smoking is prohibited in all dwelling units starting July 1, 2018.  
\*
- Existing leases that specifically allow smoking must contain a clause stating that smoking is prohibited in all dwelling units *when the lease is renewed or no later than July 1, 2019, whichever is earliest.* \*
- **NEW!** Ordinance: Secondhand Smoke Protections Ordinance Contra Costa County Code Chapter 445

- Coming Soon! Brochure: A Guide to Contra Costa County's Secondhand Smoke Protections Ordinance

**Smoking (including the use of a hookah pipe, medical marijuana or electronic smoking device such as an e-cigarette) is prohibited in the following outdoor areas:**

- All areas within 20 feet of the doors, operable windows, air ducts and ventilation systems of any enclosed worksite or enclosed places open to the public, except while passing on the way to another destination;
- In outdoor dining areas at bars and restaurants (including outdoor dining areas at places of employment and in outdoor lounges);
- On public trails and in public parks;
- In service areas. (Service area means an area used to receive or wait for a service, enter a public place or make a transaction, including ATM's, bank teller windows, ticket lines, bus stops and taxi stands);
- In public event venues (such as stadiums, fairs, pavilions, farmers markets); and
- On the campus of all County-owned or leased properties.

**In Multi-Unit Housing Residences, smoking is prohibited:**

- NEW! In 100% of all dwelling units of multi-unit housing residences starting July 1, 2018 for new and renewing leases. All units, including owner-occupied, must be 100% smoke-free by July 1, 2019.
- In common indoor and outdoor areas of multi-unit housing residences of 4 or more unit; and
- On all balconies, patios, decks and carports for existing and new multi-unit housing.
- All areas within 20 feet of doors, windows, air ducts and ventilation systems of multi-unit housing residences, except while walking from one destination to another.

**Landlord Responsibilities:**

- NEW! Every lease and other rental agreement for the occupancy of a dwelling unit in a multi-unit residence that is entered into, renewed, or continued month-to-month must include that smoking is prohibited in all dwelling units starting July 1, 2018. \*
- NEW! Existing leases that specifically allow smoking must contain a clause stating that smoking is prohibited in all



dwelling units when the lease is renewed or no later than July 1, 2019, whichever is earliest. \*

- Disclose the policy for handling smoking complaints in effect at the multi-unit housing residence, and provide a copy of that policy to each tenant along with every new lease or rental agreement for the occupancy of a unit in a multi-unit housing residence.
- Post "No smoking" signs with letters of not less than one inch in height, or the international "No Smoking" symbol (consisting of a burning cigarette in a red circle with a red bar across it). The sign must be visibly posted in every building or other place where smoking is prohibited by law;
- Not allow ashtrays or other receptacles for disposing of smoking material where smoking is prohibited; and
- Not knowingly allow smoking in smoking prohibited areas.

Landlords may designate a common outdoor area of a multi-unit housing residence as a smoking area. For details contact Tobacco Prevention Project at [tobaccopreventionproject@hds.cccounty.us](mailto:tobaccopreventionproject@hds.cccounty.us) (<mailto:tobaccopreventionproject@hds.cccounty.us>)

\*The California Apartment Association's form 34.0 may be used.

### **Smoking is also prohibited:**

- In any indoor workplace or indoor area open to the public, including tobacco shops, owner or volunteer operated businesses and hotel lobbies.

### **Smoking is permitted:**

- In any location within the county unless otherwise prohibited by local, state or federal law; and
- In up to 20 percent of guests room in any hotel, unless the hotel has designated the entire hotel smoke-free.

## **Compliance Information**

In every building or other place where smoking is prohibited by law, the owner, operator or manager must:

- Post "No smoking" signs with letters of not less than one inch in height, or the use of the international "No Smoking" symbol (consisting of a burning cigarette in a red circle with a red



bar across it), must be visibly posted in every building or other place where smoking is regulated by the owner, operator, manager.

- Not allow ashtrays or other receptacles for disposing of smoking material where smoking is prohibited.
- Not knowingly allow smoking in smoking prohibited areas. The owner, operator or manager must request that the person stop smoking and if the person fails to stop, ask them to leave the premises.

## Posting Signage Is Required By The Law

Research shows that 80% of all smokers would like to quit and that smoke-free public places provide a more supportive environment. Information about cessation programs (to quit smoking) are available by calling the California Smoker's Helpline at 1-800-NO-BUTTS or visit [www.californiasmokershelpline.org](http://www.californiasmokershelpline.org) (<http://www.californiasmokershelpline.org/>)

Below are links to Contra Costa County Secondhand Smoke Protection Ordinance Signs for business owners, landlords and the general public to download:

1. ["No smoking" sign \(11" X 8.5"\)](#)
2. ["No smoking" sign \(7" X 5"\)](#)
3. ["No fumar" sign \(11" X 8.5"\)](#)
4. ["No smoking within 20 feet" sign \(11" X 8.5"\)](#)
5. ["No smoking within 20 feet" sign \(5" X 7"\)](#)
6. ["No Smoking within 20 feet" - Spanish sign \(11" X 8.5"\)](#)
7. ["No Smoking within 20 feet" - Spanish sign \(5" X 7"\)](#)
8. ["No Smoking" sign \(expanded language\) \(11" X 8.5"\)](#)
9. ["No smoking" sign \(expanded language\) \(7" X 5"\)](#)



While supplies last, signage is available through the [Tobacco Prevention Project \(/tobacco/\)](#).

[ [help with](#)   [PDF files](#) ]



# Contra Costa County smoking ordinance now in effect

June 27, 2018

Multifamily properties in unincorporated areas of Contra Costa County are smoke-free as of Sunday, July 1.

In March, the county Board of Supervisors unanimously adopted the Contra Costa County Secondhand Smoke Ordinance, which prohibits smoking inside multifamily properties with two or more units. Although the ordinance takes effect July 1, property owners and operators have until July 1, 2019, to amend house rules and make the necessary transition to smoke-free housing before fines can be imposed.

CAA Contra Costa does not oppose the efforts of local jurisdictions to promote smoke-free housing and protect residents from secondhand smoke.

CAA Contra Costa staff worked with the county to ensure that impacts on rental property owners are mitigated and to reduce administrative burdens on property owners and operators.

County staff and the Board of Supervisors were receptive to CAA Contra Costa's comments and allowed the final ordinance to have the following:

- A 12-month phase-in period to provide ample time for owners to amend house rules and post signage.
- Allow the use of CAA's Smoking Addendum for new leases and renewals.
- Allow property owners to designate a smoking area within the property.
- Not require "no smoking" signs individual housing units.

# California Apartment Association

A full copy of the law, signage, as well as information about the harmful effects of secondhand smoke exposure are available through the Contra Costa Health Services Tobacco Prevention Project's [website](http://cchealth.org/tobacco/secondhand-smoke/)

[<http://cchealth.org/tobacco/secondhand-smoke/>].

Questions or concerns? Contact Rhovy Lyn Antonio, CAA's vice president of public affairs for Contra Costa County, at (408) 342-3506 or [rantonio@caanet.org](mailto:rantonio@caanet.org) [<mailto:rantonio@caanet.org>]



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