

# Matrix of Strong Local Smokefree Multi-Unit Housing Ordinances



## SEPTEMBER 2015

Cities and counties in California have led the way on many secondhand smoke issues throughout the years by passing groundbreaking local ordinances to restrict smoking in certain areas. On the issue of smokefree housing, California's communities are once again paving the way. Secondhand smoke exposure in multi-unit housing is a serious health threat because secondhand smoke drifts into housing units from neighboring units, balconies, patios and common areas. The most effective way to address this problem is to pass a strong policy that prohibits smoking in at least 75% of new and existing units in multi-unit housing. As local regulation of multi-unit housing has grown considerably stronger over the last few years, we have more accurately tailored this list to highlight the most health-protective policies being passed that are effectively improving the public health of those living in these environments.

There are **37** jurisdictions in California that have adopted a strong ordinance that prohibits smoking in multi-unit housing, with nine new policies passed since the last update (December 2013). The table on the following pages lists policy and enforcement provisions of smokefree housing ordinances and provides policy details for each of the **37** jurisdictions. This table makes it easier to learn more about and understand in detail these ordinances, as well as provides guidance on the types of issues that need to be addressed by other communities working on a smokefree housing ordinance. The **37** cities and counties are listed in reverse chronological order on the following three pages.

Page 2 - Burlingame, Santa Rosa, San Anselmo, Foster City, Culver City, San Mateo County, El Cerrito, Corte Madera, Berkeley, Lafayette, Walnut Creek, Glendale, Petaluma,

Page 3 - Daly City, Santa Monica, San Rafael, Sausalito, Huntington Park, Marin County, Alameda, Baldwin Park, Compton, Sonoma County, Tiburon, Pasadena,

Page 3 - Dublin, Fairfax, Larkspur, Union City, Santa Clara County, Contra Costa County, Sebastopol, South Pasadena, Pinole, Richmond, Calabasas, Belmont

More information about all smokefree housing policies regardless of strength can be found in the Center's Local California Smokefree Housing Policies: Detailed Analysis, which contains the full details on the policy and enforcement provisions in each smokefree housing ordinance. These documents and other smokefree housing documents are all available on the Center's website, [www.Center4TobaccoPolicy.org/smokefree-multi-unit-housing/](http://www.Center4TobaccoPolicy.org/smokefree-multi-unit-housing/).

# Breakdown of Smokefree Housing Units Ordinances

	POLICY PROVISIONS						ENFORCEMENT PROVISIONS				
	Date Passed/ Population	Percentage & Minimum # of Units	Implementation	Grandfathering	Includes condominiums	Includes electronic cigarettes	Nuisance	Eviction provisions for the landlord	Enforced by tenant	Enforced by public	Violations
<b>BURLINGAME</b>	July 2015 29,890	100% 2 units	180 days		X		X				Infraction w/fines starting at \$100, civil and criminal penalties
<b>SANTA ROSA</b>	June 2015 173,071	100% 2 units	Existing: 1 year New: Immediately		X	X	X			X	Infraction w/fines starting at \$100, civil and criminal penalties
<b>SAN ANSELMO</b>	December 2014 12,670	100% 2 units	Existing: 1 year New: 180 days		X	X	X		X	X	Infraction w/fines starting at \$250, civil and criminal penalties
<b>FOSTER CITY</b>	December 2014 32,390	100% 2 units	Existing: 1 year New: Immediately		X	X	X		X	X	Infraction w/fines starting at \$250
<b>CULVER CITY</b>	October 2014 39,773	100% 2 units	Existing: 18 months New: Immediately		X		X		X	X	Infraction w/fines starting at \$100, civil and criminal penalties
<b>SAN MATEO COUNTY</b>	October 2014 64,615	100% 2 units	Existing: 14 months New 6 months		X	X	X		X		Infraction w/fines starting at \$100 and criminal penalties
<b>EL CERRITO</b>	September 2014 24,288	100% 2 units	Existing: 1 year* New: Immediately		X	X			X	X	Infraction w/fines starting at \$100, civil and criminal penalties
<b>CORTE MADERA</b>	May 2014 9,491	100%* 2 units	Existing: 1 year New: Immediately		X	X	X		X	X	Infraction w/fines starting at \$100/civil and criminal penalties
<b>BERKELEY</b>	December 2013 118,780	100% 2 units	4 months		X	X					Infraction w/fines starting at \$100/civil and criminal penalties
<b>LAFAYETTE</b>	October 2013 25,154	New: 100% 3 units	New: Immediately	X	X					X	Infraction with fines starting at \$100
<b>WALNUT CREEK</b>	October 2013 66,868	100% 2 units	4 Months		X	X	X		X	X	Infraction with a \$100 fine/ subject to civil action
<b>GLENDALE</b>	May 2013 199,182	New: 100% 2 units	New: 1 month	X	X	X	X			X	Infraction with fines starting at \$100
<b>PETALUMA</b>	January 2013 59,540	100% 2 units	Existing: 1 year New: 7 months		X	X	X		X		In accordance with the municipal code

\*Corte Madera: For existing units, provides option where landlord may designate fewer than 100% units as nonsmoking units, but no less than 80%.

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DALY CITY	October 2012 105,810	100% 2 units	Existing: 14 months New: Immediately			X	X		X		Infraction with fines starting at \$100/ subject to civil action/in accordance to municipal code
SANTA MONICA	October 2012 93,283	100% 2 units	Existing: 180 days New: Immediately	X	X	X				X	N/A
SAN RAFAEL	October 2012 59,214	100% 3 units	Existing: 1 year New: 180 days		X				X		In accordance with the municipal code
SAUSALITO	August 2012 7,300	Existing: 80% New: 100% 2 units	Existing: 14 months New: Immediately		X		X		X		In accordance with the citation schedule in the municipal code
HUNTINGTON PARK	April 2012 59,312	Existing: 80% New: 100% 2 units	Existing: 14 months New: 1 month		X	X	X		X	X	Civil penalties of \$250 - \$1000/ subject to civil action
MARIN COUNTY	May 2012 68,488	Existing: 85% New: 100% 2 units	Existing: 12 months New: Immediately		X	X	X		X	X	Infraction with fines starting at \$100
ALAMEDA	November 2011 76,638	100% 2 units	Existing: 14 months New: Immediately		X				X	X	Infraction with fines starting at \$100/subject to civil action
BALDWIN PARK	November 2011 77,047	Existing: 80% New: 100% 2 units	Existing: 3 years New: 6 months		X	X	X		X	X	Infraction with fines starting at \$500
COMPTON	October 2011 98,506	100% 3 units	Existing: 14 months New: Immediately		X	X			X	X	Infraction with a fine of \$100
SONOMA COUNTY	September 2011 149,049	100% 2 units	Existing: 14 months New: 5 months		X						Infraction with fines starting at \$100/ subject to civil action
TIBURON	July 2011 9,200	100% 4 units	Existing: 35 months New: Immediately			X			X	X	Infraction with a fine up to \$100
PASADENA	July 2011 141,510	100% 2 units	Existing: 18 months New: Immediately		X						In accordance with the citation schedule in the municipal code

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DUBLIN	July 2011 (orig. Dec 2008) 55,844	75% 16 units	25 months			X	X		X	X	Infraction with fines starting at \$100
FAIRFAX	May 2011 7,634	75% 4 units	14 months		X		X		X	X	In accordance with the town code/ Requires written warning
LARKSPUR	April 2011 12,347	Existing: 80% New: 100% 2 units	Existing: 13 months New: Immediately		X		X		X	X	Infraction with a fine of \$100/subject to civil enforcement
UNION CITY	November 2010 72,744	100% 2 units	Existing: 14 months New: Immediately			X	X		X	X	Infraction with a fine of \$100/subject to civil action
SANTA CLARA COUNTY	November 2010 87,182	100% 2 units	Existing: 14 months New: Immediately		X	X			X		Infraction with fines starting at \$100/subject to civil action
CONTRA COSTA COUNTY	October 2010 166,323	New: 100% 4 units	New: 15 months	N/A	X	X		X			In accordance with the municipal code
SEBASTOPOL	August 2010 7,507	100% 2 units	14 months		X	X	X		X	X	Infraction with fine of \$100
SOUTH PASADENA	August 2010 26,174	Existing: 80% New: 100% 2 units	3 Years		X	X	X		X	X	Infraction with fine of \$100
PINOLE	April 2010 18,946	New: 100% 2 units	Immediately	N/A	X						Infraction with fines starting at \$100
RICHMOND	July 2009 107,346	100% 2 units	Existing: 17 months New: Immediately		X				X	X	\$100 fine
CALABASAS	January 2008 23,802	80% 2 units	4 years	X		X	X	X	X	X	Misdemeanor or infraction/subject to civil action
BELMONT	October 2007 26,316	100% 2 units	14 months		X		X		X		Infraction subject to a \$100 penalty/civil action