



Second Hand Smoke Ordinance Summary

Smoking is prohibited in the following outdoor areas: (Effective October 31, 2013)

- Throughout the downtown Pedestrian Retail District (Effective upon City Manager certification)
- All areas within 25' feet from 'Enclosed Places' (i.e. places of employment, public places, government buildings, multi-unit residences)
- All city-owned parks, trails and open space areas (Effective upon City Manager certification)
- Service Areas (i.e. any areas used to receive or wait for a service, including ticket lines and ATMs)
- All public events
- All outdoor dining areas

In Multi-Unit Housing, smoking is prohibited (Effective January 29, 2014):

- Within all existing multi-unit residential units
- On all balconies, patios, decks and carports
- All areas within 25' feet of Enclosed Areas (i.e. all multi-residential buildings, common areas, community centers and recreational areas)
- Designated smoking areas may be provided if they meet the above criteria

Landlord Responsibilities

- Notify all tenants of the new smoking restrictions within 60 days from adoption (November 30, 2013)
- Install 'No Smoking' signage at each point of ingress within 120 days from adoption (January 29, 2014)
- Include lease terms stating that smoking is a material breach of the lease, for all leases entered into or amended on or after January 29, 2014.

Smoking is also prohibited:

- In any indoor workplace or indoor area open to the public, with the exception of Tobacco Retail Shops with a private smoking lounge attached.

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

- Post "No smoking" signs with letters not less than one inch in height, and the international "No Smoking" symbol (consisting of a burning cigarette in a red circle with a red bar across it), in clear and conspicuous locations on every building or other place where smoking is restricted by law.

Enforcement:

- All violations can be reported to the City's no-smoking hotline number at (925) 256-3535, or via e-mail at nosmoking@walnut-creek.org. Inquiries and reports will be responded to within 24-hours.
- Initial violations will receive a warning notice and repeat violations may be subject to a citation and fee of \$100 for first violations, \$200 for second violations and \$500 for each violation thereafter.