



Matrix of Local Smokefree Housing Policies

November 2011

Smokefree housing is the next frontier in California's ongoing effort to protect its citizens from secondhand smoke. Although California has made great progress in getting secondhand smoke out of workplaces, for the many Californians who live in multi-unit housing breathing secondhand smoke which drifts from neighboring units, balconies and outdoor areas has become a real health problem.

This Matrix of Local Smokefree Housing Policies is intended to help you understand the current state of this complex policy issue. **Smokefree housing policies have been adopted in fifty-five California communities** – Alameda, Albany, Baldwin Park, Belmont, Burbank, Calabasas, Carpinteria, Compton, Contra Costa County, Dublin, Emeryville, Eureka, Fairfax, Glendale, Kern County, Laguna Woods, Larkspur, Loma Linda, Madera, Martinez, Menlo Park, Novato, Oakland, Oxnard, Pasadena, Paso Robles, Pinole, Pleasant Hill, Pleasanton, Plumas County, Port Hueneme, Rancho Cordova, Rancho Mirage, Richmond, Rohnert Park, Sacramento (City), Sacramento County, San Bernardino County, San Diego County, San Joaquin County, San Leandro, San Luis Obispo (City), Santa Barbara (City), Santa Barbara County, Santa Clara County, Santa Monica, Sebastopol, Sonoma County, South Pasadena, Temecula, Thousand Oaks, Tiburon, Union City, Winters and Woodland. The policies are listed in reverse chronological order from the most recently passed and are divided into three sections:

- (1) **City/County Ordinances** that require a certain percentage of units to be declared nonsmoking, that require landlords to disclose information about smoking policies and the location of smoking and nonsmoking units and/or that declare secondhand smoke exposure a nuisance (Page 2)
- (2) **Housing Authority/Affordable Housing Policies** that require the creation of nonsmoking units in low-income, senior or other types of affordable housing (Page 24)
- (3) **City/County Resolutions** that encourage landlords to designate a certain percentage of units as nonsmoking (Page 30)

This Matrix details each policy with information about major provisions, enforcement provisions, and a discussion of strengths and weaknesses. To be included on the Matrix, a smokefree housing policy must in some way address the issue of drifting secondhand smoke from neighboring units. Policies that only address common areas are not included on this Matrix, but this is still an important component to smokefree housing policies. The Center has produced a comprehensive list of the forty-five communities (as of November 2011) that have adopted a smokefree outdoor common areas policy.

The **fifty-five** cities and counties listed on this Matrix have led the way on this emerging issue and are building momentum for other legislative action around the state. Please call the Center at (916) 554-5864 for more information about any of these policies or for campaign assistance in passing a smokefree housing policy. The Center's website, www.Center4TobaccoPolicy.org/localpolicies-smokefreehousing, contains many other smokefree housing resources. For sample ordinance language on smokefree housing, please visit the Technical Assistance Legal Center's (TALC) website at <http://www.phlpnet.org>.

City/County Ordinances

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
<p>City of Alameda November 2011</p>	<p>The City Council adopted an ordinance that prohibits smoking in 100% of the units of both new and existing multi-unit housing complexes with two or more units. The nonsmoking unit requirements apply to both apartments and condominiums and the definition of a unit includes patios and balconies. All new units must be nonsmoking starting on January 2, 2011. For existing units, 100% of units are required to be nonsmoking no later than January 1, 2013.</p> <p>The new law requires the lease of all units to contain language that states the unit is nonsmoking. Prior to January 1, 2013, landlords are required to disclose to prospective tenants whether the unit is smoking or nonsmoking and which units are designated nonsmoking. After January 1, 2013, landlords are required to disclose that smoking is prohibit in the units. Sellers of condominiums are required to disclose to prospective buyers that smoking is prohibited in the units effective January 1, 2013.</p> <p>The ordinance prohibits smoking in indoor and outdoor common areas of multi-unit housing complexes, except that a landlord or a homeowners' association may create an outdoor designated smoking area that meets certain criteria.</p>	<p>The Alameda Police Department is responsible for enforcement and any, Fire, Code Enforcement Officer or any peace officer may enforce the ordinance. Violations are punishable as an infraction with fines starting at \$100. The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>Alameda becomes the sixth jurisdiction to adopt an ordinance to prohibit smoking in all apartments and condominiums with two or more units. This ordinance will provide important protection to tenants from drifting secondhand smoke.</p> <p>This ordinance contains no grandfathering for tenants who currently smoke. This is important because current tenants who are grandfathered in could smoke in their unit until they move, continuing to expose tenants in nonsmoking units to secondhand smoke.</p>
<p>Baldwin Park November 2011</p>	<p>The City Council adopted an ordinance to prohibit smoking in all multi-unit housing complexes with two or more units, including apartments and condominiums. For all new units (apartments and condominiums) issued a certificate of occupancy after June 2, 2012, smoking is prohibited in 100% of the units. For existing units in apartment buildings, 100% of units will be nonsmoking as of December 2, 2014. However, landlords who follow certain requirements and deadlines may allow smoking in up to 20% of the units. For condominiums, 100% of units will be nonsmoking as of December 2, 2014. However, by meeting certain timelines and by a vote of the membership, a homeowners' association may decide to allow smoking in up to 20% of the units. For multi-unit housing with smoking-allowed units, all nonsmoking units must be grouped together to the</p>	<p>Any peace officer, code enforcement official or city attorney can enforce these provisions. Violations are punishable as an infraction with fines starting at \$500. The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>This is a strong smokefree housing ordinance that follows the model of making nonsmoking units the norm while providing a process for landlords and homeowners' associations to create smoking-allowed units. While landlords and homeowners' associations are still able to designate up to 20% of units as smoking, they have to follow a specific process to do so, and all units will be designated as nonsmoking if the required steps are not followed. This will make it easier for landlords who want to have 100% nonsmoking units to do so.</p>

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	<p>maximum extent possible. If a complex has smoking-allowed units, then smoking is prohibited within 25 feet of any designated nonsmoking unit, including on private patios and balconies of a smoking-allowed unit.</p> <p>Landlords who designate some units as smoking-allowed must disclose to tenants and prospective tenants the location of smoking and nonsmoking units and provide a map depicting the location of these units.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance prohibits smoking in indoor and outdoor common areas of multi-unit housing complexes, except that a landlord or a homeowners' association may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the ordinance declares secondhand smoke exposure a nuisance.</p>		<p>The ordinance does have a phase-in period of three years for nonsmoking units, which is longer than most of the other recent ordinances, which range from 13 to 18 months.</p>
<p>Compton October 2011</p>	<p>The City Council adopted an ordinance that prohibits smoking in 100% of the units of both new and existing multi-unit housing complexes with three or more units. The nonsmoking unit requirements apply to both apartments and condominiums and the definition of a unit includes patios and balconies. All new units must be nonsmoking starting on November 24, 2011. For existing units in apartment buildings, 100% of units are required to be nonsmoking no later than January 1, 2013.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas of apartments as of November 24, 2011.</p>	<p>The City Manager is responsible for enforcement. Violations of the ordinance are punishable as an infraction with a fine of \$100. The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>This is a strong ordinance that will prohibit smoking in 100% of all multi-unit housing in the city with three or more units, providing important protections to tenants from drifting secondhand smoke. However, the ordinance does not prohibit smoking in many of the town homes in the city since they are built as duplexes and the nonsmoking provisions only apply to complexes with three or more units.</p> <p>This ordinance contains no grandfathering for tenants who currently smoke. This is important because current tenants who are grandfathered in could smoke in their unit until they move, continuing to expose tenants in nonsmoking units to secondhand smoke.</p>

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<p>Sonoma County September 2011</p>	<p>The Board of Supervisors adopted an ordinance to prohibit smoking in 100% of multi-unit housing complexes in the unincorporated parts of the county. For all apartment and condominium complexes with two or more units, there will be no smoking allowed in any existing units after January 12, 2013 (14 months after the ordinance goes into effect). Smoking is prohibited in new units after May 10, 2012 and new units are defined to include any unit issued an occupancy clearance 180 days after the effective date of this ordinance (November 12, 2011). The ordinance also prohibits smoking on the patios and balconies. Current tenants who smoke are not grandfathered in, meaning that they will not be able to smoke in their units after January 12, 2013.</p> <p>The ordinance prohibits smoking in indoor and outdoor common areas of multi-unit housing complexes (effective November 12, 2011), except that a landlord or a homeowners' association may create an outdoor designated smoking area that meets certain criteria.</p>	<p>Violations of the ordinance are punishable as an infraction with fines starting at \$100 and subject to civil action by the county.</p>	<p>Sonoma County is only the second county (after Santa Clara County) and fifth jurisdiction overall to adopt an ordinance to prohibit smoking in all apartments and condominiums with two or more units. This ordinance will provide important protection to tenants from drifting secondhand smoke.</p> <p>However, the ordinance is missing some common enforcement provisions that are found in similar ordinances, such as requiring language about nonsmoking units to be placed in leases, allowing affected tenants to enforce the lease terms and allowing for private enforcement for people impacted by drifting secondhand smoke.</p>
<p>Tiburon July 2011</p>	<p>The Town Council adopted an ordinance that prohibits smoking in 100% of the units of both new and existing apartments with four or more units. The requirements for nonsmoking units do not apply to condominiums. The nonsmoking units provisions go into effect on August 19, 2011 for new units. For existing units, the nonsmoking provisions go into effect for any new tenants after August 19, 2011 when they begin occupying the unit. For existing units with tenants who occupied that unit prior to August 19, 2011, the nonsmoking provisions do not go into effect until July 1, 2014.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas of apartments as of August 19, 2011, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p>	<p>Violations of the ordinance are punishable as an infraction with a fine of up to \$100 and are enforced by the Town Manager. The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>This is a strong ordinance that will prohibit smoking in 100% of all apartment units in the town, providing important protections to tenants from drifting secondhand smoke. However, there are some provisions that make the ordinance weaker than other recently adopted smokefree housing ordinances. The ordinance does not require nonsmoking units for condominiums and has a phase-in period of nearly three years. The phase-in period for other recent ordinances is between 13 and 18 months.</p>

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<p>Pasadena July 2011</p>	<p>The City Council adopted an ordinance that prohibits smoking in 100% of the units in both new and existing multi-unit housing with two or more units, including apartments and condominiums. The nonsmoking units provisions go into effect on January 1, 2013 for existing units and go into effect immediately for new units.</p> <p>The ordinance requires every new lease or purchase agreement after January 1, 2012 to include information about the smoking prohibitions.</p> <p>The ordinance also prohibits smoking in all indoor and outdoor common areas of multi-unit housing.</p>	<p>The ordinance is enforced by the Health Officer in accordance with the citation schedule in the municipal code.</p>	<p>With this ordinance, Pasadena becomes the largest city and the fourth jurisdiction overall to prohibit smoking in 100% of units in multi-unit housing of two or more units, including condominiums.</p> <p>This ordinance contains no grandfathering for tenants who currently smoke. This is important because current tenants who are grandfathered in could smoke in their unit until they move, continuing to expose tenants in nonsmoking units to secondhand smoke.</p> <p>The ordinance is missing some enforcement provisions that are found in similar ordinances, such as allowing affected tenants to enforce the lease terms and allowing for private enforcement for people impacted by drifting secondhand smoke.</p>
<p>Dublin July 2011/ December 2008/ September 2006</p>	<p>The City Council adopted an ordinance that prohibits smoking in 75% of the apartment units for apartment complexes that have 16 or more units. Landlords are required to designate nonsmoking units by January 1, 2013. In December 2008 the City Council had passed an ordinance requiring 50% nonsmoking units and the July 2011 ordinance increases the units requirements to 75%. A unit includes patios and balconies, and all nonsmoking units must be grouped together to the maximum extent possible. Current tenants who smoke are not grandfathered in, meaning that they will not be able to continue to smoke in their unit after January 1, 2013 if their unit is designated as nonsmoking. Landlords are required to notify tenants within 90 days of the implementation plan for their unit. Landlords must maintain and provide to tenants a floor plan identifying the smoking and nonsmoking units as well as the location of any designated smoking areas. Landlords may designate 100% of the units as nonsmoking.</p>	<p>The City Manager is responsible for enforcement and violations are punishable as an infraction. A private person may also bring legal action to enforce these provisions.</p>	<p>A strong provision in this ordinance is that it does not grandfather in current tenants who smoke. This means that once a unit is designated as nonsmoking, no one can smoke in that unit, even if the current tenant still lives there and previously smoked in that unit.</p> <p>However, the ordinance only restricts smoking in apartment buildings with 16 or more units, so this will leave people that live in smaller apartment complexes unprotected from secondhand smoke.</p>

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	<p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions.</p> <p>The new law also requires the lease of nonsmoking units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>In September 2006, the City Council passed an ordinance that declared secondhand smoke a nuisance.</p>		
<p>Fairfax May 2011</p>	<p>The Town Council adopted an ordinance that prohibits smoking in 75% of the units of both new and existing multi-unit housing with four or more units for both apartments and condominiums. The nonsmoking units provisions go into effect on August 4, 2012.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas of apartments as of June 4, 2011, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>	<p>The ordinance is enforced by the Town Manager in accordance with the town code. Prior to assessing any civil penalties for violations, a written warning must be issued.</p>	<p>This is a strong smokefree housing ordinance that will protect many tenants of smokefree housing in the town from exposure to secondhand smoke. However, it is worth noting that some of the major provisions are not as strong as in other recently adopted smokefree housing ordinances that require nonsmoking units. The 75% nonsmoking unit requirement is lower than most other recently adopted ordinances and it does not require 100% nonsmoking units for new housing.</p>
<p>Larkspur April 2011</p>	<p>The City Council adopted an ordinance to prohibit smoking in all multi-unit housing complexes with two or more units, including apartments and condominiums. For all new units (apartments and condominiums) constructed after May 20, 2011, smoking is prohibited in 100% of the units. For existing units in apartment buildings, 100% of units will be nonsmoking as of May 20, 2012. However, landlords who follow certain requirements and deadlines may allow smoking in up to 20% of the units. For condominiums, 100% of units will be nonsmoking as of May 20, 2012. However, by meeting certain timelines and by a vote of the</p>	<p>Violations of the ordinance are punishable as an infraction with a \$100 fine and are enforced by the City Manager, who may partner with County of Marin or Twin Cities police authority.</p> <p>The ordinance also allows any member of the public to bring legal action against</p>	<p>This is a strong smokefree housing ordinance and is the second ordinance (after South Pasadena) to make nonsmoking units the norm while providing a process for landlords and homeowners' associations to create smoking-allowed units. While landlords and homeowners' associations are still able to designate up to 20% of units as smoking, they have to follow a specific process to do so, and all units will be designated as</p>

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	<p>membership, a homeowners' association may decide to allow smoking in up to 20% of the units. For multi-unit housing with smoking-allowed units, all nonsmoking units must be grouped together to the maximum extent possible. If a complex has smoking-allowed units, then smoking is prohibited within 25 feet of any designated nonsmoking unit, including on private patios and balconies of a smoking-allowed unit.</p> <p>Landlords who designate some units as smoking-allowed must disclose to tenants and prospective tenants the location of smoking and nonsmoking units and provide a map depicting the location of these units. This information must also be made available to the city.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking (unless the landlord has allowed smoking in the unit) and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas starting May 20, 2011, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>	<p>another person to enforce these provisions.</p>	<p>nonsmoking if the required steps are not followed. This will make it easier for landlords who want to have 100% nonsmoking units to do so.</p>
<p>Laguna Woods March 2011</p>	<p>The City Council adopted an ordinance that prohibits smoking in certain areas in all multi-unit housing with two or more units, including apartments and condominiums. Smoking is prohibited on patios and balconies of all units including unenclosed, screened and enclosed patios (unless all doors and windows are closed for enclosed patios).</p> <p>The ordinance prohibits smoking in all indoor and outdoor common areas. Smoking is also prohibited in all unenclosed swimming pools and covered and semi-covered carports.</p> <p>The ordinance also requires to city to engage in a public education program to inform owners and managers of</p>	<p>The City Manager is responsible for enforcement and smoking violations are punishable by a fine no greater than \$50.</p>	<p>These smokefree housing provisions will provide some protection to residents of multi-unit housing. By prohibiting smoking on all patios, balconies and common areas, residents will be protected from drifting secondhand smoke from outdoor areas.</p> <p>However, the ordinance does not require the creation of any nonsmoking units. This means that residents can continue to be exposed to drifting secondhand smoke from inside neighboring units.</p>

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	the purposes and requirements of this ordinance.		
Carpinteria February 2011	The City Council adopted an ordinance that prohibits smoking in all indoor and outdoor common areas of multi-unit housing with two or more units, including apartments and condominiums. In addition, the ordinance declares secondhand smoke exposure a nuisance, which allows a citizen to take private legal action.	The code compliance officer, in cooperation with the Santa Barbara County health officer, is responsible for enforcement. Violations are punishable in accordance with the municipal code.	A nuisance policy can provide protection to residents from secondhand smoke on an individual basis, but only if tenant brings a lawsuit against his/her neighbor. The creation of nonsmoking units would better protect residents from drifting secondhand smoke.
Union City November 2010	<p>The City Council adopted an ordinance that prohibits smoking in 100% of the units of both new and existing apartment complexes with two or more units. The nonsmoking unit requirements do not apply to condominiums. All new units must be nonsmoking starting on December 23, 2010. For existing units in apartment buildings, 100% of units will be nonsmoking as of February 23, 2012.</p> <p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas of apartments as of December 23, 2010, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>	<p>Violations of the ordinance are punishable as an infraction with a \$100 fine and subject to civil action by the city.</p> <p>The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>This is a strong smokefree housing ordinances that will protect all apartment tenants from drifting secondhand smoke. This ordinance contains no grandfathering for tenants who currently smoke. This is important because current tenants who are grandfathered in could smoke in their unit until they move, continuing to expose tenants in nonsmoking units to secondhand smoke.</p> <p>However, the nonsmoking unit policy does not apply to condominiums, meaning that those residents will not be protected from drifting secondhand smoke.</p>
Santa Clara County November 2010	The Board of Supervisors adopted an ordinance to prohibit smoking in 100% of multi-unit housing complexes in the unincorporated parts of the county. For all apartment and condominium complexes with two or more units, there will be no smoking allowed in any new units after December 9, 2010 and any existing units after February 9, 2012 (14 months after the ordinance goes into effect). The ordinance also prohibits smoking on the patios and balconies of units. Current tenants who smoke are not grandfathered in, meaning that they	Violations of the ordinance are punishable as an infraction with fines starting at \$100 and subject to civil action by the county.	<p>Santa Clara County became the third jurisdiction to prohibit smoking in 100% of units in multi-unit housing of two or more units, including condominiums. In addition, Santa Clara County is the first county to require the creation of nonsmoking units for existing housing.</p> <p>This ordinance contains no</p>

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	<p>will not be able to smoke in their units after February 9, 2012.</p> <p>The new law requires lease agreements for all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance prohibits smoking in indoor and outdoor common areas of multi-unit housing complexes (effective December 9, 2010), except that a landlord or a homeowners' association may create an outdoor designated smoking area that meets certain criteria.</p>		<p>grandfathering for tenants who currently smoke. This is important because current tenants who are grandfathered in could smoke in their unit until they move, continuing to expose tenants in nonsmoking units to secondhand smoke.</p>
<p>Contra Costa County October 2010/ October 2009/ October 2006</p>	<p>In October 2010, the Board of Supervisors updated the county secondhand smoke ordinance (which was adopted in 2006 and updated in 2009) with additional smokefree housing provisions. The updated ordinance prohibits smoking in 100% of all new multi-unit housing complexes, including apartments and condominiums, with four or more units that receive a building permit after January 1, 2011. There is no requirement to establish nonsmoking units in existing multi-unit housing complexes. For all new and existing multi-unit housing complexes with four or more units, including apartments and condominiums, the ordinance prohibits smoking within 20 feet of any door or window and on all patios, balconies, decks and carports. The new law also requires the lease of all units to contain language that states whether the unit is smoking or nonsmoking.</p> <p>The update in 2009 requires the owner or manager of multi-unit housing complexes with four or more units, including apartments and condominiums, to disclose information to tenants about smoking on the property. Owners and managers must maintain and provide to tenants a list of all designated nonsmoking units, a floor plan showing the location of nonsmoking and smoking units and any designated outdoor smoking area and the policy for handling smoking complaints.</p> <p>The original ordinance from 2006 prohibits smoking in all indoor and outdoor common areas of apartment building and condominium complexes that have four or more</p>	<p>The county can enforce the smoking provisions through administrative fines, infraction citations or any other remedy allowed by law.</p>	<p>This ordinance will protect all residents of new multi-unit housing from drifting secondhand smoke from inside other units, which is a step in the right direction. However, there are no provisions to create nonsmoking units in existing multi-unit housing, leaving current tenants unprotected from drifting secondhand smoke from other units. The ordinance does restrict smoking in common areas and on patios and balconies, so tenants of both new and existing multi-unit housing will be protected from drifting secondhand smoke from outdoor areas.</p> <p>The policy requiring disclosure of smoking and nonsmoking units allows tenants of existing housing to make an informed decision about where they can live to find protection from drifting secondhand smoke. Despite these benefits, since there is no requirement for landlords to permanently designate nonsmoking units in existing housing, the smoking status of units could change at any time. While tenants would have to be informed of changes, units that are originally protected from</p>

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	units, except that a landlord may create an outdoor designated smoking area that meets certain criteria.		drifting secondhand smoke, could later be impacted by drifting secondhand smoke, if management changes the smoking policies.
Burbank October 2010	<p>The City Council updated the city's secondhand smoke ordinance to include several smokefree housing provisions. The new smokefree housing restrictions will go into effect on May 1, 2011.</p> <p>The ordinance prohibits smoking in multi-unit residences that share a common heating or cooling system that utilize the same ducting system, which results in air from one unit being distributed to another unit.</p> <p>In addition, for all multi-unit housing complexes with two or more units, including apartments and condominiums, smoking is prohibited on all private patios and balconies. Smoking is also prohibited in all indoor common areas and in certain outdoor common areas. The outdoor common areas where smoking is restricted are swimming pool areas when being used by children and all children play areas.</p>	<p>The Chief of Police is responsible for enforcement. Violations are punishable through remedies available in the municipal code.</p>	<p>The creation of nonsmoking units by this ordinance is not a model that should be copied. This ordinance only prohibits smoking specifically in units that share a common ducting system in which air travels from one unit to another unit. While this will create some nonsmoking units, it seems to imply that there is no danger from drifting secondhand smoke in multi-unit housing if there is no common ducting system. That is not the case as secondhand smoke can drift into neighboring units whether there is a common ducting system or not, such as through windows, doors, baseboards and openings for electrical wires and light fixtures. The creation of nonsmoking units should be applied to all multi-unit housing and should not be based on the type of ducting system.</p>
Menlo Park September 2010	<p>The City Council adopted an ordinance that prohibits smoking in all indoor and outdoor common areas of multi-unit housing with two or more units, including apartments and condominiums. In addition, the ordinance declares secondhand smoke exposure a nuisance, specifically in a multi-unit housing setting, which allows a citizen to take private legal action.</p>	<p>Violations are punishable in accordance with the municipal code. A private person may also bring legal action to enforce these provisions.</p>	<p>A nuisance policy can provide protection to residents from secondhand smoke on an individual basis, but only if tenant brings a lawsuit against his/her neighbor. The creation of nonsmoking units would better protect residents from drifting secondhand smoke.</p>
Sebastopol August 2010	<p>The City Council adopted an ordinance to prohibit smoking in 100% of multi-unit housing complexes in the city. For all apartment and condominium complexes with two or more units, there will be no smoking allowed in any units after November 2, 2011 (14 months after the ordinance goes into effect). The ordinance also prohibits smoking on the patios and balconies. Current</p>	<p>Violations of the ordinance are punishable by the city as an infraction with a \$100 fine. The Police Department is responsible for enforcement and the City Attorney, any peace</p>	<p>This is one of the strongest smokefree housing ordinances in the nation. Sebastopol is now the second city (Richmond was the first) to prohibit smoking in 100% of units in multi-unit housing of two or more units, including condominiums.</p>

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	<p>tenants who smoke are not grandfathered in, meaning that they will not be able to smoke in their units after November 2, 2011.</p> <p>The new law requires lease agreements for all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance prohibits smoking in indoor and outdoor common areas of multi-unit housing complexes (effective September 2, 2010), except that a landlord or a homeowners' association may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>	<p>officer or code enforcement official can also enforce the ordinance.</p> <p>The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions as long as proper notice is given to the city and the city is not pursuing a civil action.</p>	<p>This ordinance contains no grandfathering for tenants who currently smoke. This is important because if current tenants are grandfathered in, this means that they could continue to smoke in their unit until they move. Tenants of nonsmoking units would then continue to be exposed to secondhand smoke. This ordinance ensures that all residents of multi-unit housing will be protected from drifting secondhand smoke when the nonsmoking units go into effect.</p>
<p>South Pasadena August 2010</p>	<p>The City Council adopted an ordinance to prohibit smoking in multi-unit housing complexes with two or more units, including apartments and condominiums. For all new units (apartments and condominiums) constructed after September 4, 2010, smoking is prohibited in 100% of the units. For existing units in apartment buildings, 100% of units will be nonsmoking as of September 4, 2013. However, landlords that follow certain requirements and deadlines may allow smoking in up to 20% of the units. For condominiums, 100% of units will be nonsmoking as of September 4, 2013. However, by meeting certain timelines and by a vote of the membership, a homeowners' association may decide to allow smoking in up to 20% of the units. For multi-unit housing with smoking-allowed units, all nonsmoking units must be grouped together to the maximum extent possible. If a complex has smoking-allowed units, then smoking is prohibited within 25 feet of any designated nonsmoking unit, including on private patios and balconies of a smoking unit.</p> <p>Landlords who designate some units as smoking-allowed must disclose to tenants and prospective tenants the location of smoking and nonsmoking units and provide a map depicting the location of these units. This information must also be made available to the city.</p>	<p>Violations of the ordinance are punishable by the city as an infraction with a \$100 fine. The City Manager, Community Improvement Coordinator, code enforcement official or any peace officer can enforce the ordinance.</p> <p>The ordinance also allows any member of the public to bring legal action against another person to enforce these provisions.</p>	<p>This is a strong smokefree housing ordinance and is the first ordinance to make nonsmoking units the norm while providing a process for landlords and homeowners' associations to create smoking-allowed units. While landlords and homeowners' associations are still able to designate up to 20% of units as smoking, they have to follow a specific process to do so, and all units will be designated as nonsmoking if the required steps are not followed. This will make it easier for landlords who want to have 100% nonsmoking units to do so.</p> <p>While all the provisions of the ordinance are strong, it does have a long phase-in period. Units are not required to be nonsmoking for three years, whereas many other similar ordinances have the nonsmoking units requirement go into effect after 14 months of ordinance adoption.</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	<p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking (unless the landlord has allowed smoking in the unit) and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas starting September 4, 2010 except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p>		
<p>Santa Monica August 2010/ January 2009</p>	<p>The City Council originally adopted an ordinance in January 2009 to prohibit smoking in outdoor common areas for both apartment and condominium complexes. In August 2010, the City Council updated the ordinance by expanding the definition of an outdoor common area to include any outdoor area within 25 feet of a door, window or vent into a multi-unit residence. This change prohibits smoking on all patios and balconies of multi-unit housing and outdoor areas of adjacent properties that are within 25 feet of a unit.</p>	<p>The common areas smoking prohibition can be enforced through a civil action. Before doing so, the affected tenant must first attempt to resolve the matter informally with the tenant who is violating the smoking restrictions by providing a written notice with 30 days to cease smoking before filing a suit. Awards for civil actions are no less than \$100 for the first violation, \$200 for the second violation within one year and \$500 for the third and subsequent violations within one year.</p>	<p>Santa Monica is a city with rent control, which makes passage of restrictions on smoking in multi-unit housing difficult. This ordinance addresses the issue of drifting secondhand smoke from outdoor areas, such as common areas and balconies and patios of neighboring units, but does not address the issue of drifting secondhand smoke from inside other units.</p> <p>Despite the benefits of restricting smoking in common areas, enforcement for this provision is lacking. There are no provisions for the city to enforce the multi-unit housing smoking restrictions. In order to enforce the smoking restrictions, residents must use private enforcement, which many people may be reluctant to do.</p>
<p>Eureka July 2010</p>	<p>The city passed a broad secondhand smoke ordinance in July 2010 that includes several smokefree housing provisions. First, the ordinance requires landlords to disclose to prospective tenants information about where smoking is allowed or not allowed on the property. Landlords are required to provide a diagram showing the location of any nonsmoking units and the location of any outdoor designated smoking areas.</p>	<p>Violations are punishable as an infraction with a fine of \$100. The Chief of Police is responsible for enforcement, but any peace officer or code enforcement official may enforce.</p>	<p>These smokefree housing provisions will provide some protection to residents of multi-unit housing. By prohibiting smoking on all patios and balconies, residents will be protected from drifting secondhand smoke from outdoor areas. The policy requiring disclosure of smoking and nonsmoking units allows tenants to</p>

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	<p>Second, the ordinance prohibits smoking on all balconies and patios of all multi unit housing complexes with two or more units, including apartments and condominiums. This smoking prohibition applies to all units, even units where smoking is allowed inside the unit.</p> <p>Finally, the ordinance prohibits smoking in all indoor and outdoor common areas of apartments and condominiums, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p>	<p>Both the city attorney and private individuals can bring legal action to enforce these provisions.</p>	<p>make an informed decision about where they can live to find protection from drifting secondhand smoke.</p> <p>However, the ordinance does not require the creation of any nonsmoking units. This means that residents can continue to be exposed to drifting secondhand smoke from inside neighboring units.</p>
<p>Pinole April 2010</p>	<p>The City Council adopted an ordinance that prohibits smoking in 100% of all new multi-unit housing complexes constructed after the effective date of the ordinance (May 20, 2010). There is no requirement to establish no-smoking units in existing multi-unit housing complexes. For all new and existing multi-unit housing complexes with two or more units, including apartments and condominiums, the ordinance prohibits smoking within 20 feet of any door or window.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas of all multi-unit housing complexes, except that a landlord or homeowners' association may create an outdoor designated smoking area that meets certain criteria</p>	<p>The city manager is responsible for enforcement and violations are punishable as an infraction with fines starting at \$100.</p>	<p>This ordinance will protect all residents of new multi-unit housing from drifting secondhand smoke from inside other units, which is a step in the right direction. However, there are no provisions to create nonsmoking units in existing multi-unit housing, leaving current tenants unprotected from drifting secondhand smoke from other units. The ordinance does restrict smoking in common areas and on patios and balconies that are within 20 feet of another unit, so tenants of both new and existing multi-unit housing will be protected from drifting secondhand smoke from outdoor areas.</p> <p>The ordinance is missing some key enforcement provisions such as requiring language in lease agreements about nonsmoking units, allowing affected tenants to enforce those lease terms and allowing for private enforcement for people impacted by drifting secondhand smoke.</p>
<p>Pleasant Hill April 2010/ August 2006</p>	<p>The City Council adopted an ordinance that prohibits smoking inside both new and existing apartment complexes with four or more units. The nonsmoking</p>	<p>The ordinance does not designate a specific enforcement agency within</p>	<p>This ordinance will provide some protection to some residents living in apartment complexes with four or</p>

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	<p>unit requirements do not apply to condominiums. For existing apartment complexes with four or more units, 50% of the units must be designated as nonsmoking. Landlords must begin designating nonsmoking units in January 2011 and complete it within five years. All nonsmoking units must be grouped together to the maximum extent possible. For all new apartment buildings with four or more units completed after the effective date of the ordinance (May 5, 2010), 100% of the units must be designated nonsmoking. Smoking is prohibited within 20 feet of any designated nonsmoking unit, including on private patios and balconies of a smoking unit.</p> <p>The ordinance also contains a provisions that requires landlords to disclose to prospective tenants the location of smoking units, whether there is smoking allowed in any adjacent units and if the previous tenant smoked in the unit.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p> <p>Finally, the city adopted an ordinance in 2006 that declared secondhand smoke exposure a public nuisance.</p>	<p>the city, but allows for violations to be enforced by any means authorized in the municipal code.</p>	<p>more units from drifting secondhand smoke by requiring the creation of nonsmoking units. For new apartment buildings, the ordinance is strong. However, the ordinance is weaker when it comes to existing apartment complexes where only 50% of units are required to be nonsmoking. In addition, the phase-in period for nonsmoking units is long compared to similar ordinances. Other nonsmoking units ordinances have phase-in periods as short as 14 months, while this ordinance is five years.</p> <p>The ordinance is missing some key enforcement provisions such as requiring language in the lease about nonsmoking units, allowing affected tenants to enforce those lease terms and allowing for private enforcement for people impacted by drifting secondhand smoke.</p>
<p>City of Glendale March 2010/ October 2008</p>	<p>In March 2010, the City Council updated its secondhand smoke ordinance including expanding the smokefree housing provisions it adopted in October 2008.</p> <p>The first provision requires apartment landlords to disclose to prospective tenants whether smoking is allowed in the prospective unit and if the unit was designated as smoking or nonsmoking for the previous tenant. In addition, landlords need to provide to tenants with and display a map with the locations of smoking and nonsmoking units, the location of all common areas where smoking is prohibited and the location of any areas where smoking is allowed.</p> <p>The ordinance prohibits smoking on all balconies and</p>	<p>The city manager, director of parks, recreation and community services, any police officer, any park ranger, neighborhood services administrator, or city clerk license investigator can enforce this ordinance.</p> <p>A violation of this ordinance occurs when a person is warned to stop smoking or to move away from a smoking prohibited area,</p>	<p>The city made some good changes when the smokefree housing ordinance was updated. By expanding prohibitions on smoking in common areas to condominiums and prohibiting smoking on all patios and balconies, more residents will be protected from drifting secondhand smoke from outdoor areas. The disclosure policy will allow tenants to make an informed decision about where they can live to find protection from drifting secondhand smoke.</p> <p>However, the ordinance still does not</p>

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	<p>patios of multi unit housing of two or more units, including apartments and condominiums. This smoking prohibition applies to all units, including on private patios and balconies of a smoking unit.</p> <p>Finally, the ordinance prohibits smoking in all indoor and outdoor common areas of apartments and condominiums, except that a landlord may create an outdoor designated smoking area that meets certain criteria.</p>	<p>but continues to smoke in that area. Violations are punishable pursuant to the municipal code.</p> <p>Violations of a smoking policy in multi-unit housing, through either smoking in a common area where smoking is prohibited or smoking in a unit that the landlord has declared nonsmoking, are added to the list of reasons whereby a landlord can evict a tenant.</p> <p>Both the city attorney and private individuals can bring legal action to enforce these provisions.</p>	<p>require the creation of any nonsmoking units. This means that residents can continue to be exposed to drifting secondhand smoke from inside neighboring units.</p>
<p>San Leandro December 2009</p>	<p>As part of a broader secondhand smoke ordinance that prohibits smoking in certain outdoor areas, the City Council included a provision declaring secondhand smoke a nuisance, which allows a citizen to take private legal action for exposure to secondhand smoke.</p>	<p>Private citizens can take legal action to abate secondhand smoke as a nuisance.</p>	<p>A nuisance policy can provide protection to residents from secondhand smoke on an individual basis, but only if tenant brings a lawsuit against his/her neighbor. The creation of nonsmoking units would better protect residents from drifting secondhand smoke.</p>
<p>Richmond July 2009</p>	<p>The City Council adopted an ordinance that prohibits smoking in 100% of the multi-unit housing in the city. For all existing apartments and condominiums with 2 or more units, there will be no smoking allowed in any units after January 1, 2011. Landlords can make all units nonsmoking prior to January 1, 2011. All new units that become occupied after the ordinance goes into effect (August 20, 2009) are nonsmoking. A unit includes patios and balconies. Tenants of existing housing units who smoke are not grandfathered in, meaning that they will not be able to continue to smoke in their unit after January 1, 2011.</p>	<p>Violations of the ordinance are punishable by the city with a \$100 fine. The City Manager is responsible for enforcement and any peace officer or code enforcement official can enforce the ordinance.</p> <p>The ordinance also allows any member of the public to bring legal action against another person to enforce</p>	<p>This is the strongest smokefree housing ordinance in the nation. It is the only ordinance to prohibit smoking in 100% of all units, which includes all apartments and condominiums with 2 or more units. The smokefree housing ordinance in Belmont, California also prohibits smoking in 100% of units, but the definition of units does not include single story multi-unit housing.</p> <p>Another strong provision in the Richmond ordinance is the fact that it</p>

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	<p>The new law also requires the lease of all units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions.</p> <p>Landlords must maintain and provide to tenants a diagram showing the location of any designated smoking areas with any new lease agreement after January 1, 2011. Landlords and condo sellers will be required to disclose the ordinance requirements to all prospective and existing tenants and buyers beginning 90 days after ordinance takes effect.</p>	<p>these provisions.</p>	<p>does not grandfather in current smokers. This means that when the implementation date comes, there will be no smoking in the units regardless of whether a current smoker still resides in their same unit.</p>
<p>Martinez April 2009</p>	<p>The City Council adopted an ordinance with several smokefree housing provisions. First, all apartment landlords will be required to disclose information about the smoking regulations for the property to prospective tenants. All landlords, including landlords that do not have any designated nonsmoking units, would be required to maintain a list of designated nonsmoking units and a floor plan identifying those units and give tenants these documents for all new leases or other agreements entered into on or after June 1, 2010.</p> <p>The ordinance prohibits smoking in all private outdoor spaces of multi-unit housing, including apartments and condominiums, with 4 or more units. Private outdoor spaces includes the balconies, patios, decks, entry porches and carports of individual units. Smoking would still be allowed inside the individual units.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions. These provisions all go into effect June 1, 2010.</p> <p>The new law requires the leases of all units to contain language that states that smoking is prohibited in</p>	<p>Landlords that have knowledge of violations of the smoking provisions are responsible for taking reasonable steps to enforce the regulations including, informing the tenant of the violation and the course of action if the violation is not corrected. Other tenants are able to bring legal action to enforce the provisions.</p>	<p>This ordinance effectively addresses the issue of secondhand smoke drifting from outdoors into a tenant's unit by prohibiting smoking in outdoor common areas and prohibiting smoking on balconies and patios of units.</p> <p>The disclosure policy brings awareness to the issue of restricting smoking in apartments and provides tenants with information about the location of smoking and nonsmoking units. This allows tenants to make an informed decision about where they can live to find protection from drifting secondhand smoke.</p> <p>However, this ordinance does not prohibit smoking inside of any units. This means that tenants could still suffer from drifting secondhand smoke from another unit.</p>

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	<p>common areas and private outdoor spaces and that other tenants in the building may enforce the no-smoking lease term.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>		
<p>Rohnert Park April 2009</p>	<p>The City Council adopted an ordinance that prohibits smoking inside the units of both new and existing multi-unit housing, which includes apartments and condominiums. For new apartment buildings (those that are built after June 1, 2009) with 2 or more units, 75% of the units must be designated as nonsmoking. For all existing apartments with 2 or more units, 50% of the units must be designated as nonsmoking. New units are required to be designated as nonsmoking immediately. Existing units must be declared nonsmoking by June 1, 2011. For both new and existing housing, the definition of a unit includes patios and balconies, and all nonsmoking units must be grouped together to the maximum extent possible. Current tenants of existing housing who smoke will be grandfathered in, meaning that they may continue to smoke inside their unit for as long as they continuously reside in that unit, even if that unit is designated as nonsmoking. For both new and existing apartments, landlords may designate 100% of the units as nonsmoking.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions.</p> <p>Landlords must maintain and provide to tenants a floor plan identifying the smoking and nonsmoking units as well as the location of any designated smoking areas.</p>	<p>Violations of the ordinance are punishable as an infraction. No specific city staff is designated to enforce the ordinance. Any private person can bring legal action for damages or relief against a tenant who violates the ordinance.</p>	<p>A strong provision in this ordinance is that the nonsmoking units requirements apply to all multi-unit housing with 2 or more units, which can help protect tenants in all sizes of multi-unit housing. Also, the provision to require a higher percentage of new units to be designated as nonsmoking makes sense because it is easier to create nonsmoking units in new housing.</p> <p>However, the ordinance does allow grandfathering. This means that a tenant who lives next to a tenant who smokes could still be exposed to secondhand smoke even after the smoker's unit is designated as nonsmoking.</p> <p>Also the ordinance does not declare secondhand smoke a nuisance but rather declares smoking in an area where smoking is prohibited as a nuisance. This limits where an individual can use the nuisance declaration to protect themselves and means an individual who lives next to a smoking unit, would not be able to use the nuisance designation to protect themselves from secondhand smoke exposure.</p>
<p>Loma Linda June 2008</p>	<p>The City Council passed an ordinance that requires landlords to prohibit smoking in at least 70% of the units of new and existing apartments, including patios and balconies. Nonsmoking units must be grouped together</p>	<p>Tenants who smoke in a nonsmoking unit may be subject to eviction if a landlord receives two</p>	<p>This ordinance continues the momentum of similar local ordinances that have created nonsmoking units. Loma Linda is now the fifth city in</p>

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	<p>vertically, horizontally and in separate buildings to the maximum extent possible.</p> <p>Landlords have until January 1, 2012 to permanently designate at least 70% of units as nonsmoking. Until they do so, landlords must submit an annual report to the city that shows the number and location of nonsmoking and smoking units, identifies any units where residents have been grandfathered, and shows the location of any designated smoking areas.</p> <p>The ordinance also prohibits smoking in all indoor and outdoor common areas in multi-unit housing, except for designated areas.</p> <p>Landlords must also present every potential tenant with a floor plan of the smoking and nonsmoking units and the location of a designated smoking area. Finally, landlords are required to create an outdoor designated smoking area, but can get an exemption from the city if there is no suitable place for an outdoor designated smoking area on the property.</p> <p>The ordinance allows current tenants to have their unit grandfathered in as a smoking unit past the January 1, 2012 date as long as they continuously live in that unit and provide proper notification to their landlord.</p> <p>The new law also requires the lease of nonsmoking units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>Finally, the ordinance declares secondhand smoke exposure a public nuisance.</p>	<p>letters of complaints from different individuals. However, eviction is up to the discretion of the landlord.</p> <p>Violations of the law are punishable as an infraction.</p> <p>The city prosecutor, city attorney, any peace officer or any city code enforcement officer may enforce the provisions in this ordinance.</p>	<p>California to require landlords to create nonsmoking units. This ordinance is very similar to the one adopted in Calabasas; the major difference being that the Loma Linda ordinance requires 70%, instead of 80% , of units to be nonsmoking.</p>
<p>Albany June 2008</p>	<p>The City Council passed a broad secondhand smoke ordinance that contains two smokefree housing provisions. First, landlords and sellers of condominiums will be required to disclose the smoking policy of the units they manage or sell. For apartments, landlords must maintain and provide to tenants a list of designated nonsmoking units, a list of designated smoking units and a floor plan that identifies the location of smoking and</p>	<p>Violations are punishable as an infraction and subject to a fine of between \$50 - \$100 for a first violation, \$100 - \$250 for a second violation, and \$250 - \$500 for any additional violation.</p>	<p>The disclosure policy brings awareness to the issue of restricting smoking in apartments and provides tenants with information about the location of smoking and nonsmoking units. This allows tenants to make an informed decision about where they can live to find protection from drifting</p>

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	<p>nonsmoking units, as well as any designated smoking areas. Sellers of condominiums must disclose to potential buyers whether smoking is permitted in the unit and what the smoking policy is for the complex.</p> <p>Secondly, the ordinance prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions.</p>	<p>The police department is responsible for enforcement, but any peace officer or code enforcement officer may enforce this ordinance.</p>	<p>secondhand smoke.</p> <p>Despite these benefits, since there is no requirement for landlords to create nonsmoking units, the smoking policies could change at any time. While tenants would have to be informed of changes, units that would originally be protected from drifting secondhand smoke, could later be impacted by drifting secondhand smoke if management changes the smoking policies.</p>
<p>Novato April 2008</p>	<p>The City Council adopted an ordinance that prohibits smoking inside the units of both new and existing apartments. For new apartments with 10 or more units, 75% of the units must be designated as nonsmoking. For all existing apartments with 10 or more units, 50% of the units must be designated as nonsmoking. For both new and existing housing, a unit includes patios and balconies, and all nonsmoking units must be grouped together to the maximum extent possible. Current tenants who smoke will be grandfathered in, meaning that they may continue to smoke inside their unit for as long as they continuously reside in that unit. For both new and existing apartments, landlords may designate 100% of the units as nonsmoking.</p> <p>The new law also requires all new leases to contain language that states whether the unit is nonsmoking or smoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>The ordinance also prohibits smoking in indoor and outdoor common areas, except that a landlord may create an outdoor designated smoking area that meets certain restrictions.</p> <p>Landlords must maintain and provide to tenants a floor plan identifying the smoking and nonsmoking units as well as the location of any designated smoking areas.</p> <p>Finally, the ordinance declares secondhand smoke</p>	<p>The city manager is responsible for enforcement. The Marin County Department of Health and Human Services is responsible for writing the initial warning letter. Any resident can initiate enforcement by notifying the city manager. A resident may also bring private action to enforce these provisions.</p> <p>The penalty for a first violation is a fine not exceeding \$100 and/or five days of community service. A second violation within one year is punishable by a fine of up to \$200 and/or ten days of community service. A third violation within one year is punishable by a fine of up to \$500 and/or fifteen days of community service.</p>	<p>A strong provision in this ordinance is that it requires units to be designated as nonsmoking on the date the ordinance goes into effect, which is 90 days after it was passed on April 23. This is much faster than in other cities that have passed ordinances creating nonsmoking units in multi-unit housing.</p> <p>The provision to require a higher percentage of new units to be designated as nonsmoking makes sense because it is easier to create nonsmoking units in new housing.</p> <p>The ordinance restricts smoking in apartment buildings with 10 or more units, so this could leave people that live in smaller apartment complexes unprotected from secondhand smoke. However, they would have the nuisance provision available to use if secondhand smoke exposure becomes a problem. The nuisance provision in this ordinance is unique because it only declares secondhand smoke a nuisance in a place of human habitation.</p>

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	exposure in a place of human habitation a nuisance.		
<p>Calabasas January 2008/ February 2006</p>	<p>In January 2008, the city passed an ordinance that requires landlords to prohibit smoking in at least 80% of the units of new and existing apartments, including patios and balconies. Nonsmoking units must be grouped together vertically, horizontally and in separate buildings to the maximum extent possible.</p> <p>Landlords have until January 1, 2012 to permanently designate at least 80% of units as nonsmoking. Until they do so, landlords must submit an annual report to the city that shows the number and location of nonsmoking and smoking units.</p> <p>Landlords must also present to every potential tenant a floor plan of the smoking and nonsmoking units and the location of a designated smoking area. Finally, landlords are required to create an outdoor designated smoking area, but can get an exemption from the city if there is no suitable place for an outdoor designated smoking area on the property.</p> <p>The ordinance allows current tenants to have their unit grandfathered in as a smoking unit past the January 1, 2012 date as long as they continuously live in that unit and provide proper notification to their landlord.</p> <p>The new law also requires the lease of nonsmoking units to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term.</p> <p>Two years earlier, in February 2006, the city prohibited smoking in all indoor and outdoor common areas in multi-unit housing (lobbies, hallways, swimming pools, outdoor eating areas, play areas, etc).</p> <p>That ordinance also declared that exposing others to secondhand smoke is a public nuisance.</p>	<p>Tenants who smoke in a nonsmoking unit may be subject to eviction if a landlord receives two letters of complaints from different individuals. However, eviction is up to the discretion of the landlord.</p> <p>Violations of the law are subject to punishment as a misdemeanor.</p> <p>The city prosecutor, city attorney, peace officer, or city code enforcement officer may enforce the provisions in this ordinance. The ordinance requires business owners to enforce these provisions in their establishments. Residents of Calabasas can also report any violations of the law to the code enforcement unit.</p> <p>The ordinance also allows any member of the public to sue another person to enforce these provisions.</p>	<p>Prohibiting smoking in 80% of apartment units is a strong provision that will protect many residents from drifting secondhand smoke and create momentum for other cities to follow. The city worked with and gained the support of the California Apartment Association for this ordinance.</p> <p>However, landlords are given up to four years to designate these nonsmoking units. This is a long compliance period and could leave tenants unprotected from drifting secondhand smoke for years if landlords do not voluntarily designate nonsmoking units sooner.</p> <p>The February 2006 ordinance was the first ordinance in California to declare secondhand smoke a public nuisance. A nuisance policy can provide protection to residents from secondhand smoke on an individual basis, but only if a tenant uses the declaration to bring a lawsuit against his/her neighbor. The creation of nonsmoking units will better protect residents from drifting secondhand smoke, but this nuisance policy could be useful before these units are officially designated as nonsmoking.</p>
<p>Oakland December 2007</p>	<p>Two smokefree housing provisions were included in a broader secondhand smoke ordinance passed by the city. First, landlords and sellers of condominiums will be</p>	<p>To implement the disclosure requirements, the city placed language</p>	<p>The disclosure requirements are a new policy direction in California. By requiring landlords to inform potential</p>

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	<p>required to disclose the smoking policy of the units they manage or sell. For apartments, landlords must disclose to prospective tenants if the unit is smoking or nonsmoking, which units in the complex are smoking units, and what the smoking policy is for the complex. Sellers of condominiums must disclose to potential buyers whether smoking is permitted in the unit and what the smoking policy is for the complex.</p> <p>Secondly, the ordinance prohibits smoking in all indoor and outdoor common areas of multi-unit housing.</p>	<p>about the smoking policies within a notice to tenants that all landlords were already required to give to tenants each year. This results in an automatic annual reporting of these disclosures.</p> <p>The City Administrator is responsible for enforcement. Any citizen can register a complaint with the City Administrator to initiate enforcement.</p> <p>Private citizens can bring legal action to enforce these provisions.</p> <p>Violators that smoke in a prohibited area are guilty of an infraction and can be punished by a fine of up to \$100 for a first violation, up to \$200 for a second violation within one year, and up to \$500 for each additional violation within one year.</p>	<p>tenants of the smoking restrictions in the apartment complex, it will provide information about whether drifting secondhand smoke could be a problem in the unit they are about to rent. This empowers tenants to make informed decisions about where they want to live based on the smoking policies of apartment complexes.</p> <p>Despite these benefits, since there is no requirement for landlords to create nonsmoking units, the smoking policies could change at any time. While tenants would have to be informed of changes, units that would originally be protected from drifting secondhand smoke, could later be impacted by drifting secondhand smoke if management changes the smoking policies.</p>
<p>Belmont October 2007</p>	<p>The city passed an ordinance that prohibits smoking in all new and existing apartments and condominiums that share a common floor and/or ceiling. For current tenants who smoke, there is a 14 month grace period during which time they are still allowed to smoke in their unit.</p> <p>The new law also requires every lease of a unit where smoking is prohibited to contain language that states the unit is nonsmoking and that other tenants in the building may enforce the no-smoking lease term. The same grace period of 14 months applies to the new lease terms for current tenants who smoke. Landlords are not</p>	<p>Each violation is an infraction subject to a \$100 fine. Violations are also subject to civil action brought by the city, with a fine of between \$250 and \$1000.</p> <p>This ordinance can be enforced by any peace officer or code enforcement official.</p>	<p>This ordinance makes Belmont the first city to prohibit smoking in almost all multi-unit housing units. By prohibiting smoking in 100% of units that share common floors and/or ceilings, residents in Belmont will be protected from deadly secondhand smoke in the place where they spend the most time, their homes.</p> <p>However, the way that multi-unit housing is defined is not ideal. It will leave residents that live in certain</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	<p>required to enforce the new no-smoking lease terms nor are they required to evict a tenant who smokes in a nonsmoking unit.</p> <p>The ordinance also declares secondhand smoke a nuisance.</p> <p>Finally, the ordinance bans smoking in indoor and outdoor common areas, with landlords allowed to create designated smoking areas that meet certain restrictions (i.e. 20 feet away from entrances and windows).</p>	<p>The city attorney can also bring a civil action to remedy violations, including nuisance abatement proceedings, code enforcement proceedings or suits for injunctive relief.</p>	<p>condominiums, town homes, and one-story apartment buildings partly unprotected from secondhand smoke. These residents will still have the ability to use the nuisance declaration to protect themselves from exposure, but will not be protected from drifting secondhand smoke under the new smokefree housing law.</p>
<p>Temecula May 2007</p>	<p>This city passed an ordinance that requires landlords to designate 25% of their units as nonsmoking in all new and existing multi-unit residences with 10 or more units (it does not apply to condominiums). These nonsmoking units must be grouped together horizontally and vertically and in a separate building to the maximum extent possible.</p> <p>For new multi-unit housing, landlords must submit a floor plan to the city that identifies the smoking and nonsmoking units within six months of enactment of this ordinance.</p> <p>Landlords of existing multi-unit residences must submit a floor plan to the city that identifies the smoking and nonsmoking units within one year. Landlords have up to five years to actually designate these units as nonsmoking and may apply for up to three, one-year extensions to comply, with the exception of senior housing.</p> <p>This ordinance also prohibits smoking in all indoor and outdoor common areas for all multi-unit residences (any residence with two or more units).</p>	<p>Violations of this ordinance are enforceable by the city and subject to penalties outlined in the Temecula municipal code.</p>	<p>This ordinance is the first in California to require a certain amount of units to be set aside as nonsmoking for market rate housing within a city. By requiring these units to be separate from smoking units, it will provide important protection from secondhand smoke to the residents of Temecula.</p> <p>However, the five-year compliance period (and up to eight-year period with extensions), is too long for implementation. Hopefully landlords will comply sooner, but this could mean that residents that move into a nonsmoking unit could still be surrounded by a smoking unit for many years.</p>
<p>Emeryville December 2006</p>	<p>The ordinance bans smoking in indoor and outdoor common areas of multi-unit housing.</p> <p>The ordinance also declares secondhand smoke a nuisance, which allows a citizen to take private legal action. However, the ordinance states that the city cannot be a party in that legal action or have legal action</p>	<p>Enforcement will be handled by the City Manager. Citizens can register a complaint with the City Manager to initiate enforcement.</p>	<p>The nuisance provision is substantially weaker than the nuisance provisions in Dublin and Calabasas. While it declares secondhand smoke a nuisance, the ordinance renders that declaration almost useless by exempting the individuals and</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	brought against it for non-enforcement of the smoking ordinance. Further, it states that no owners, managers, or employers who operates premises controlled by the smoking restrictions can be found guilty or held liable for the nuisance provisions.		situations where a nuisance law would be most useful.

Housing Authority/Affordable Housing Policies

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
<p>Pleasanton October 2011</p>	<p>The City of Pleasanton Housing Commission adopted a policy to prohibit smoking at the two multi-unit housing complexes under its jurisdiction. Smoking will be prohibited inside of all units and in all common areas, with the exception of specifically designated smoking areas in outdoor common areas. All residents will need to sign new leases stating that smoking will not be allowed starting March 1, 2012.</p>	<p>The Housing Commission will enforce the nonsmoking provisions in accordance with the enforcement procedures for all lease provisions.</p>	<p>This is a strong policy that will protect residents of two housing complexes from drifting secondhand smoke.</p>
<p>City of San Luis Obispo September 2011</p>	<p>The Housing Authority of the City of San Luis Obispo (HASLO) adopted a policy to prohibit smoking in 16 housing complexes. As leases come up for renewal beginning on January 1, 2012, tenants will need to sign a no smoking lease addendum, with no smoking allowed at all after January 1, 2013. The policy prohibits smoking throughout the entire complexes, including within individual units, decks and patios. Smoking is already prohibited in the indoor and outdoor common areas of these HASLO complexes through the city's secondhand smoke ordinance. Tenants in the building may enforce the no-smoking lease addendum to prohibit smoking or for damages.</p>	<p>Tenants can inform landlords of any violations. Landlords need to take reasonable steps to ensure compliance.</p>	<p>This is a strong policy that will end up protecting tenants of 16 housing complexes from drifting secondhand smoke once it is phased in throughout 2012.</p>
<p>San Diego County March 2011</p>	<p>The Board of Supervisors approved the Housing Authority Annual Plan that included no smoking provisions for all affordable housing managed by the County. Smoking is prohibited in all units, all indoor common areas and within 20 feet of all buildings, including porches, balconies and patios. The policy allows for the creation of outdoor designated smoking areas. All residents will be required to sign and return to the Resident Manager a copy of the no smoking policy.</p> <p>The smoking provisions went into effect on July 1, 2011. The County is partnering with the American Lung Association in California to provide cessation resources.</p>	<p>Smoking in prohibited areas is considered a lease violation and subject to the courses of action in the Admissions and Continued Occupancy Policy.</p>	<p>This is a strong policy because it prohibits smoking in all public housing in the county and does not allow grandfathering. Another important aspect of this policy is that it includes cessation services to help residents who smoke to quit smoking if they choose.</p>
<p>San Joaquin County November 2010</p>	<p>The Housing Authority of the County of San Joaquin's Board of Commissioners approved a policy to prohibit smoking at all the public housing properties managed by the Housing Authority. Smoking is prohibited in all units, indoor and outdoor common areas and within 20 feet of</p>	<p>The Housing Authority will enforce violations according to this schedule: First violation – verbal</p>	<p>This policy provides a very clear enforcement plan, which is not found in other housing authority policies. Another important aspect of this policy is that it includes cessation services to</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	<p>all buildings. Smoking is allowed in parks, sidewalks and streets. The prohibitions for smoking in apartment units go into effect immediately for new residents. Existing residents may sign a smoking exemption form to allow them to continue smoking in their unit for 12 months. However, the residents may not smoke in their unit when any employee or representative of the Housing Authority is present. Cessation resources will be made available to all residents.</p>	<p>warning; second violation – written warning letter; third violation – 30-day lease termination notice with the option to remedy; fourth violation – 30-day lease termination notice</p>	<p>help residents who smoke to quit smoking if they choose. The smoking prohibitions are strong, but the one-year exemption for existing residents does mean that some tenants may continue to be exposed to drifting secondhand smoke for 12 months.</p>
<p>San Bernardino County July 2010</p>	<p>The Housing Authority Board of Commissioners voted to adopt a 100% nonsmoking policy for four housing complexes in the county (Redlands Brockton Site, Waterman Gardens Community, Yucaipa Crest and Colton Senior Housing Complex). The policy prohibits smoking on the entire properties, including in 100% of the units, common areas, every building and adjoining grounds.</p> <p>Current tenants who smoke can request a one-year grace period to be able to continue to smoke in their unit for one year.</p>	<p>Residents are responsible for informing guests of the nonsmoking policy and will be responsible for any damages caused by a violation of the policy. The Housing Authority can terminate the rental agreement for violations of the smoking provisions, which are considered a material breach of the rental agreement.</p>	<p>A strong provision of this policy is that it prohibits smoking everywhere on the grounds of specific housing complexes. That ensures that residents will be protected from secondhand smoke drifting from other units or from outdoor areas of the complex.</p>
<p>City of Santa Barbara April 2010/ November 2005</p>	<p>The Housing Authority of the City of Santa Barbara (HACSB) adopted a policy to restrict smoking inside units and in limited outdoor common areas. For common areas, HACSB reviewed each property to determine if there were locations suitable to designate as outdoor smoking areas. If there was not a suitable location, then the property was declared 100% smokefree. Smoking is prohibited in all units and there is no grandfathering (except for at one senior property). The HACSB used a one-year implementation timeline to implement new lease agreements and ensure that all tenants were fully informed about the no-smoking policy change.</p>	<p>HACSB will respond to complaints and observations of violations to the smoking policy and use warnings and progressive notifications in an attempt to achieve compliance. All possible remedies will be exhausted, up through eviction.</p>	<p>This policy includes strong smoking prohibitions and good enforcement provisions. It is a good example of a policy that resulted from complaints from residents about secondhand smoke exposure.</p>
<p>Santa Barbara County April 2010</p>	<p>The Housing Authority adopted a policy to restrict smoking inside units and in outdoor common areas. For common areas, each property manager is responsible for determining where smoking is prohibited and which areas are designated outdoor smoking areas. All new tenants are prohibited from smoking in their units. For</p>		<p>This policy is a step in the right direction to protect people from drifting secondhand smoke in units managed by the Housing Authority. However, because the smoking prohibitions are applied to existing</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	existing tenants, the smoking prohibitions are applied on a voluntary basis.		residents on a voluntary basis, this means that tenants can continue to be exposed to drifting secondhand smoke.
Kern County April 2009	The Housing Authority adopted a policy to prohibit smoking in several housing complexes. For the Village Park Senior Apartments (60 units), smoking is prohibited in all units, common areas, buildings and adjoining grounds. All residents must sign an addendum for the smokefree policy and tenants in the building may enforce the no-smoking lease addendum. For the Plaza Towers and Plaza Towers Annex (199 total units), smoking is prohibited for new tenants.	Residents can report any smoking violations to the manager. The owner/manager is not required to take steps to enforce this policy unless they have been provided with written notice.	The policy for the senior housing is strong because it prohibits smoking everywhere on the property and provide residents with enforcement tools. The policy for the other complex is a step in the right direction but it only prohibits smoking for new tenants meaning that some tenants may continue to be exposed to drifting secondhand smoke.
Plumas County July 2008	<p>The Board of Supervisors adopted a policy to make all public housing units in the county nonsmoking. All housing units will become smokefree on July 1, 2009 with no grandfathering for current tenants. Any units that become vacant before that date will be declared nonsmoking when a new lease is signed. This will impact over 200 housing units and both senior and family housing.</p> <p>Residents will still be allowed to smoke outdoors on the properties but will be encouraged not to smoke near windows and doorways. Designated smoking areas with weather covers will be created at each location. Low literacy cessation services will be offered to all residents.</p>		This is a strong policy because it prohibits smoking in all public housing in the county and does not allow grandfathering. While the policy does not address smoking in outdoor common areas, it does prohibit smoking in the most important location, inside the actual units where drifting secondhand smoke can cause the most harm.
City of Alameda April 2008	<p>The City of Alameda Housing Commission adopted a policy to prohibit smoking within residential units, balconies and on the grounds of the property for all of the apartment complexes that the Alameda Housing Authority manages.</p> <p>The smokefree policy will first be implemented at Independence Plaza, a 186-unit senior complex. The policy went into effect on August 1, 2008. There will be no grandfathering for current residents who smoke and no designated smoking areas on the property. The smoking restrictions will also apply to employees and vendors.</p>	<p>The Housing Authority has the right to inspect apartments for evidence of smoking if they are notified of a violation of the no-smoking policy. Residents will be given 24 hours notice prior to an inspection.</p> <p>The Housing Authority can terminate the rental agreement for violations of</p>	This is a very strong housing authority policy. By prohibiting smoking everywhere on the grounds of the apartment complexes and not grandfathering in current residents who smoke, this policy ensures that residents will be protected from drifting secondhand smoke as soon as the policy goes into effect.

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	<p>The other senior housing complex, Anne B. Diament Plaza with 65 units, will be the next complex to be converted to the nonsmoking policy.</p> <p>Overall, the Housing Authority manages over 500 units in Alameda and all of the units will be converted to the same nonsmoking policy over the coming year.</p>	<p>this policy.</p> <p>Residents can notify the Housing Authority of potential violations and the Housing Authority must then take reasonable steps to enforce these provisions. Residents may also sue another resident to enforce the no-smoking policy but do not have the right to evict another resident.</p>	
<p>Port Hueneme April 2008</p>	<p>The City Council adopted a resolution that approves the Port Hueneme's Housing Authority policy to restrict smoking in two public housing properties. At the Mar Vista property (senior housing), smoking will be prohibited in all units on the bottom three floors, with smoking allowed in units on the top two floors of the building. Current residents who smoke and live in the bottom three floors will be encouraged, but not required, to move to a unit on the fourth or fifth floor. At the Hueneme Village property (family housing), smoking will be prohibited inside all newly leased units after July 1, 2008.</p>	<p>A violation of the smoking policy will be handled like any other lease violation. A verbal warning will be given for a first violation and a written warning for a second violation. Any subsequent violations could result in a termination from the Housing Authority program.</p>	<p>This policy will provide important protection from drifting secondhand smoke for some senior and low income families. Another important aspect of this policy is that it includes cessation services to help residents who smoke to quit smoking if they choose.</p>
<p>Oxnard March 2008</p>	<p>The City Council passed a policy that prohibits smoking within the Oxnard Housing Authority's two senior housing properties. Smoking will be prohibited within 100% of the units, balconies, common areas, and within 30 feet of all entrances in both the Plaza Vista and Palm Vista properties, making a total of 150 nonsmoking units. There will be no grandfathering for current residents who smoke.</p>	<p>Housing Authority staff will notify residents if they violate the policy and then residents will have a chance to respond to the notice. After three violations, a resident's lease is subject to termination.</p> <p>Residents are responsible for ensuring that guests comply with the policy.</p>	<p>This is a strong policy because it creates two entirely smokefree buildings, which is the best way to protect tenants from harmful secondhand smoke. This policy also has strong enforcement provisions to ensure the smoking restrictions are followed.</p>
<p>Paso Robles March 2008</p>	<p>The Paso Robles Housing Authority adopted a policy to prohibit smoking inside all apartment units and anywhere on the housing property for the Chet Dotter</p>	<p>The policy is enforced through tenant screening (if an applicant smokes they</p>	<p>This policy is strong because it prohibits smoking everywhere on the grounds of the housing complex. That</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	Senior Complex.	are referred to community quit smoking classes and must show letters of completion upon application acceptance), staff and tenant reporting of violations as well as security cameras that monitor the grounds.	ensures that residents will be protected from secondhand smoke drifting from other units or from outdoor areas of the complex.
Thousand Oaks March 2007/ September 2004	<p>The City of Thousand Oaks adopted a policy requiring developers of new publicly-assisted rental housing to set aside one-third of the new units as nonsmoking units.</p> <p>In March 2007, the city updated this policy to require that two-thirds of newly constructed publicly assisted rental housing and one-half of new supportive housing be smokefree.</p>		<p>Thousand Oaks is one of the first local governments to designate nonsmoking units in publicly-assisted housing under its jurisdiction. However, the policies are only for new housing and do not specify that the smokefree units be contiguous. Currently, nonsmoking units are being placed next to smoking units, meaning that tenants are still not protected from secondhand smoke.</p>
Rancho Mirage December 2006	<p>The City Council adopted a smoking policy for the Rancho Mirage Housing Authority. This policy prohibits smoking in outdoor common areas in the Housing Authority's three senior affordable housing residential complexes.</p> <p>The policy would also prohibit smoking within apartment units for the Santa Rosa Villas and any future senior residential complexes. All new residents of the other two existing senior residential complexes will be prohibited from smoking in their units, but people that already live in those two complexes will be allowed to smoke in their units until they move.</p>	Residents can make complaints to the Housing Authority.	<p>This policy provides good protection for senior residents since one entire residential complex and all future residential complexes will be smokefree. The other two residential complexes should gradually become smokefree as current residents who smoke move out.</p>
City of Madera August 2002	<p>The City Council approved a smoke-free policy of the Madera Housing Authority. The Madera Housing Authority adopted a policy to transition two of three senior housing buildings to be smokefree. New residents moving into buildings A and C at Yosemite Manor will not be allowed to smoke in their units or on their patios. Smokers that already reside in buildings A and C would be allowed to continue to smoke in their</p>	Residents may make complaints to the site manager.	<p>Smokers were grandfathered in and there is still an entire building that allows smoking. But making two buildings smokefree will provide valuable health benefits to seniors who are some of the most susceptible to the effects of secondhand smoke. As of April 2007, in the two smokefree</p>

Community/Date Passed	Major Provisions	Enforcement Provisions	Discussion
	units but must keep their door to the hallway closed when smoking. Current and future residents of building B would still be allowed to smoke in their unit.		buildings there was only one person left who smoked in his unit and he has agreed to move into the smoking building.

City/County Resolutions

Community/Date Passed	Major Provisions	Discussion
Winters April 2010	The city passed a resolution that encourages landlords and property managers of multi-unit rental housing to designate at least 50% of their units, including patios and balconies, as nonsmoking or to make entire buildings within a multi-unit housing complex smokefree. Property managers that do so will be publicly recognized by the City Council.	This is a nonbinding resolution, which means that property owners are not required to make any units smokefree. The resolution contains no language that the units must be contiguous.
City of Sacramento April 2009/ December 2006	In December 2006, the City Council passed a resolution that encourages property owners of multi-unit rental housing to designate at least 25% of their units as nonsmoking or to make entire buildings within a multi-unit housing complex smokefree. The percentage was increased to 50% of units in April 2009. Property owners that do so will be publicly recognized by the City Council.	This is a nonbinding resolution, which means that property owners are not required to make any units smokefree. The resolution contains no language that the units must be contiguous.
Rancho Cordova September 2008	The city passed a resolution that encourages landlords and property managers of multi-unit rental housing to designate at least 50% of their units, including patios and balconies, as nonsmoking or to make entire buildings within a multi-unit housing complex smokefree. Property managers that do so will be publicly recognized by the City Council.	This is a nonbinding resolution, which means that property owners are not required to make any units smokefree. The resolution contains no language that the units must be contiguous.
Woodland April 2008	The city passed a resolution that encourages landlords and property managers of multi-unit rental housing to designate at least 50% of their units, including patios and balconies, as nonsmoking or to make entire buildings within a multi-unit housing complex smokefree. Property managers that do so will be publicly recognized by the City Council.	This is a nonbinding resolution, which means that property owners are not required to make any units smokefree. The resolution contains no language that the units must be contiguous.
County of Sacramento April 2007	The Board of Supervisors passed a resolution that encourages property owners of multi-unit rental housing to designate at least 50% of their units as nonsmoking or to make whole buildings within a multi-unit housing complex smokefree. Property owners that do so will be publicly recognized by the Board of Supervisors.	This is a nonbinding resolution, which means that property owners are not required to make any units smokefree. The resolution contains no language that the units must be contiguous.