

SMOKE-FREE ENVIRONMENTS IN LOS ALTOS



Frequently Asked Questions

Why did the City Council adopt a new smoking ordinance?

To promote and protect public health, safety, and general welfare, the City Council amended an existing ordinance to expand smoking prohibitions in public places. Public places are defined as spaces that are generally accessible to the public such as outdoor dining areas, service areas, entryways, and common areas of multi-unit residences. The ordinance is intended to ensure a cleaner and more hygienic environment for the city, its residents and visitors, and its natural resources.

Where is smoking prohibited?

The ordinance prohibits smoking in most public places, which means any area, enclosed or unenclosed, publicly or privately owned, to which the public has access by right or by invitation, expressed or implied, whether by payment of money or not, and regardless of any age requirement. Examples of public places include but are not limited to:

- Entryways and exits
- Outdoor dining and seating areas
- Service areas
- Public plazas
- City-owned buildings and their grounds
- Recreational Areas
- Public events such as public markets, parades, festivals, art shows and concerts

Where is smoking permitted?

- Private residential properties and their respective yards, except when used as a child care, health care, board care or foster care facility
- Inside a private automobile
- In designated smoking areas
- In City-owned parking plazas in the Downtown Triangle that are at least twenty-five feet (25') from any enclosed or unenclosed spaces where smoking is prohibited
- In other public places that are at least twenty-five feet (25') from any enclosed or unenclosed spaces where smoking is prohibited

When did the new smoking law take effect?

The City Council approved the ordinance on March 27, 2017. The law is effective April 27, 2018.

What does smoking include?

Smoking is defined as inhaling, exhaling, emitting, burning, possessing, holding, or carrying any lighted, heated, or ignited device intended for burning or vaporizing any tobacco product, cannabis, weed, plant, or other combustible substance. This includes but is not limited to cigarettes, cigars, electronic smoking or “vaping” devices, and cannabis.

How is the smoking law enforced?

The City works with Breathe California of the Bay Area to provide a Secondhand Smoke Helpline, which provides education to callers and receives complaints about violations. The City uses verbal warnings and public education as the primary means of enforcement. It is up to the members of the public to understand the law and to smoke away from public areas. Police officers and other enforcement officers have the authority to issue citations for violating the ordinance.

What are the penalties for violating the law?

Each incident of smoking or use of tobacco products in violation of this chapter is an infraction subject to the following fines:

- a verbal and written warning for the first violation;
- up to one hundred dollars (\$100) for a second violation within one year;
- up to two hundred dollars (\$200) for a third violation within one year.

How can businesses maintain a smoke-free environment for their customers?

Businesses are responsible for maintaining a smoke-free area in their business establishment for their employees and customers. It is important to educate employees about smoke-free outdoor areas, so they can inform customers to comply with the law. Courtesy of Breathe California, window decals and table top placards are available for business owners interested in posting their support for smoke-free areas. Decals will be mailed to all businesses and table top placards will be sent to those with outdoor dining areas.

Who do I contact for more information, resources or detailed questions about the law?

Sarah Henricks
Management Analyst Fellow
City of Los Altos
shenricks@losaltosca.gov
650-947-2729

Share your thoughts and learn more at: [losaltosca.gov/smokefree](https://www.losaltosca.gov/smokefree)