

Chapter 8.12 Second-Hand Smoke Control

Calabasas City Council Meeting
December 13, 2017



Second-Hand Smoke Control

- Calabasas became the first City in the nation to restrict smoking in February 15, 2006
- There are now 1415 cities and counties with similar laws, in 42 states and the District of Columbia
- The Ordinance was amended January 16, 2008 to require 80% of multi-family apartments to be designated as non-smoking units

City Website



THE CALABASAS CITY COUNCIL unanimously voted to adopt a [Comprehensive Second-Hand Smoke Control Ordinance](#) on February 15, 2006 by a 5-0 vote. The ordinance, which went into effect on **March 17, 2006**, limits public exposure to secondhand smoke in public areas within the City.

On **January 16, 2008** the Calabasas City Council unanimously voted to adopt [Ordinance No. 2008-239](#) that would regulate smoking in and around rental housing in Calabasas. The ordinance went into effect on February 16, 2008 and the ordinance will be phased in through January 2012.

Secondhand Smoke in Multi-Family Rental Housing

Multi-Family Rental Smoking Ordinance Facts	Ordinance No. 2008-239 (.pdf)
January 16, 2008 Press Release (.pdf)	December 12, 2007 Council Video
January 16, 2008 Council Video	SMOKE FREE Apartments LA

Comprehensive Second-Hand Smoke Control Ordinance

Ordinance No. 2006-217 (.pdf)	Frequently Asked Questions
Secondhand Smoke Facts	Feb. 1, 2006 Council Video
Designated Smoking Area Application (.pdf)	Feb. 15, 2006 Council Video
March 15, 2006 Press Release (.pdf)	Feb. 15, 2006 Media Advisory (.pdf)
March 15, 2006 Press Conference Photos	Comprehensive Secondhand Smoke Ordinance Brochure (.pdf)
March 15, 2006 Press Conference Video	

WHAT ARE THE SIGNS & WHAT DO THEY MEAN?

Second-Hand Smoke Control

- The Ordinance Prohibits Smoking throughout Calabasas, with the following exceptions:
 - Private residences
 - Up to 20% of hotel guestrooms
 - Up to 20% of apartment units
 - Shopping Mall common areas
 - Outdoor areas in which no non-smoker is present and it is not reasonable to expect another person
 - Designated Smoking Areas

Second-Hand Smoke Control

- The Ordinance allows designated areas for smoking on private property
 - At the discretion of the property owner/manager
 - Free permit through the City
 - Separates smokers from non-smokers
 - Protects individual rights



Second-Hand Smoke Control



Enforcement Responsibilities

- The first line of enforcement is with the public!
- For private property, enforcement falls to the entity with legal or de-facto control
- Code Enforcement Officers are the third line of enforcement
- The Sherriff may also enforce this law

Enforcement Responsibilities

- If you were dining outside and saw someone smoking...
 - Ask them to stop
 - Ask a waiter to ask them to stop
 - Ask the manager to have them stop
 - Notify the property owner/manager/security
 - Call City Code Enforcement



Enforcement Responsibilities

- The code permits any person acting for the interests of themselves, or of the general public, to bring a civil action to enforce this law
 - Requires 60 day written notice to the City and the violator
 - If the City elects to pursue the case, it may not be filed
 - City or the Court must agree that the settlement is reasonable

Second-Hand Smoke Control

- Penalties for violations:
 - Fines (\$100, \$200 or \$500 per day)
 - Civil lawsuit
 - Criminal Complaint (misdemeanor)
- Code Enforcement strives to educate violators and seek voluntary compliance
- Only one significant violation in 11 years
- Complaints are minimal