Goal E: Ensure the Public’s Health and Safety

Strategy: Explore innovative and best practices for promoting public health (e.g., smoking ordinances, nutrition, and obesity prevention).
Why Secondhand Smoke Protection?

- Risk to Public Health
- Financial Drain
- Environmental Risk
- Safety
Secondhand Smoke Protection

- Proposed Second Hand Smoking Protection could potentially regulate smoking in the following categories:
  - Parks, recreation areas, and open space
  - Indoor public spaces
  - Multi-unit family housing
  - Commercial zones and outdoor public spaces
  - Businesses that sell tobacco products
California State Regulations

- **Government Buildings**
  - Smoking is prohibited within 20 feet of entrance or operable window of a public building

- **Parks & Recreation Areas**
  - Smoking is prohibited within 25 feet of tot lots and playgrounds

- **Multi-Family Housing**
  - Smoking banned in indoor common areas where someone is employed (property manager, maintenance worker, etc.)
  - Landlords required to inform tenants about areas on site where smoking is prohibited

- **Tobacco Sales**
  - State law currently regulates access to and sales of tobacco products as well as the sampling of these products
El Cerrito’s Report Card

American Lung Association’s report examines 3 categories:

1. Outdoor smoking restrictions = F
2. Requirements for non-smoking units in multi-unit housing = F
3. Local licensing and sales restrictions for retailers = F

- 61% of California municipalities received F grades
- Only 18 cities/counties in California received A grades
  - Contra Costa County: Richmond, unincorporated Contra Costa (including Kensington)
  - Alameda County: Albany, Berkeley, Dublin, Union City
  - Marin County, San Rafael
Parks, Recreation Areas, and Open Space

Options:

- All recreation areas are 100% smokefree
- Smoking restricted in all parks, recreation areas, and open space, but designated smoking areas are permitted
- Smoking prohibited in some parks but not all recreation areas

*photo credit: Thinh D. Nguyen*
Multi-Family Housing

Options:
- Ban outright every unit (current and new)
- Ban outright any new units built since law passed (current units grandfathered in)
- Partial ban with designated smoking areas/units
- Ban in common areas, shared space, patios, balconies, carports

Considerations:
- Number of units (2 or more? 3 or more? 4 or more?)
- Segregation of units/buildings
  - Signs for smoking/non-smoking
  - Percentage of smokers/non-smokers
- Senior and Affordable Housing
- Hotels/Motels
Commercial Areas

Considerations:

- Sidewalks (i.e. San Pablo Avenue, Fairmount Avenue)
- Shopping Centers
- Transit stops
- Service areas and other outdoor locations where people congregate (ATM lines, taxi stands, etc.)
Reducing Sales of Tobacco Products

Separate ordinance regulating businesses could include:

- Tobacco Retailer Licensing: require all retailers to obtain a special license to sell tobacco within City
- Restrict or prohibit sales near schools or parks
- Restrict or prohibit sales within pharmacies
- Prohibit tobacco sampling within the City
CONTRA COSTA COUNTY’S SECONDHAND SMOKE PROTECTIONS ORDINANCE

El Cerrito Community Forum
February 27, 2013
Denice A. Dennis, MPH
Tobacco Prevention Project, Contra Costa Health Services
Contra Costa County Comprehensive Secondhand Smoke Protections Ordinance

Prohibits smoking:

- In any indoor workplace and buildings open to the public;
- Within 20 feet of all doors, operable windows, air ducts and ventilation systems of enclosed places open to the public;
- Outdoor dining at bars and restaurants;
- On public trails and in public parks;
- Service areas (ATM lines, bus stops, ticket lines);
- Public events (farmer’s markets, etc);
- CCRMC campus and clinics

See brochure “Guide to the County Secondhand Smoke Protections Ordinance”
In Multi-family housing of 2 or more units, smoking is prohibited:

- in all indoor and outdoor common areas;
- Within 20 feet of all doors and windows of any residence;
- On all balconies, patios, decks and carports for all existing and new multi-unit housing residences;
- In 100% of all new MFH units.
- Landlord disclosure of where smoking is permitted is required.
New Law Regulating ENDDs

- Electronic Nicotine Delivery Devices (such as e-cigarettes) are prohibited where smoking is prohibited.

- Must have a Tobacco Retailers License to sell these products.

These products may appeal to youth because of their high-tech design and wide array of flavors including chocolate and mint.
Other Cities in County with SHS Protections

**Outdoor Protections**
-Martinez, Pinole, Pleasant Hill, Richmond, Lafayette, San Ramon and Walnut Creek

**Multi-Family Housing Protections**
-Martinez, Pinole, Pleasant Hill, Richmond, Lafayette, San Ramon and Walnut Creek

**100% Smokefree MFH**
-Richmond, Walnut Creek (and Berkeley)
El Cerrito Online Survey Results

Would you like to see the City of El Cerrito enact regulations to protect the public from secondhand smoke?

- 72.2% Yes
- 16.7% No
- 11.1% Not Sure

- 153 respondents as of 2/26/2014
- 92.8% reported that they live, work, or own property in El Cerrito
What types of smoke protection regulations would you like to see in El Cerrito?

- Outdoor common areas in apartment complexes and multi-family housing
- On all public sidewalks
- On sidewalks in commercial areas
- Commercial Areas
- Ohlone Greenway
- City parks and playfields
- Hillside Natural Area/Open Space
- At bus stops and designated casual carpool areas
- City facility outdoor areas including parking lots
- Inside units in apartment complexes and multi-family housing
- Outdoor common areas in apartment complexes and multi-family housing
- On all public sidewalks

Bar chart showing the percentage of responses for each location type.
What is your opinion regarding the following statements as they relate to El Cerrito?

- **Second-hand smoke is a problem**
  - Strongly Agree: 30%
  - Agree: 40%
  - Disagree: 30%
  - Strongly Disagree: 10%
  - Don't know: 0%

- **Cigarettes are dangerous because they can cause wildfires**
  - Strongly Agree: 40%
  - Agree: 50%
  - Disagree: 10%
  - Strongly Disagree: 0%
  - Don't know: 0%

- **Cigarettes are a litter problem**
  - Strongly Agree: 30%
  - Agree: 40%
  - Disagree: 30%
  - Strongly Disagree: 0%
  - Don't know: 0%

- **Cigarettes are dangerous because they can cause house fires**
  - Strongly Agree: 30%
  - Agree: 40%
  - Disagree: 30%
  - Strongly Disagree: 0%
  - Don't know: 0%

- **Third-hand smoke is a problem**
  - Strongly Agree: 30%
  - Agree: 40%
  - Disagree: 30%
  - Strongly Disagree: 0%
  - Don't know: 0%

- **The City should do more to regulate businesses that sell tobacco products**
  - Strongly Agree: 40%
  - Agree: 30%
  - Disagree: 20%
  - Strongly Disagree: 10%
  - Don't know: 0%
Next Steps – El Cerrito

- Outreach to specific groups (Landlords, Tenants, Chamber of Commerce, business groups)
- Begin Draft Ordinance
- Community Input on Draft Ordinance
- City Council Consideration
Comments and Discussions

- Questions and Answers
- Comments, Discussion, Feedback
Further Comments or Questions?

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