



Proposed Regulation of Second Hand Smoking

*Karen Pinkos and Amel Alkaheli
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Overview



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- ▶ El Cerrito's Report Card
- ▶ Other Cities with Smoking Ordinances
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Proposed Second Hand Smoking Ordinance

- ▶ The Proposed Second Hand Smoking Ordinance could potentially regulate smoking in the following categories:
 - Indoors (multi-unit family housing)
 - Parks and Open Space
 - City owned buildings
 - Commercial Zones



Why Regulate?



- **Risk to Public Health**

- Smoking tobacco releases carcinogens and toxins that increases chance of infection, disease, and/or cancer.
- Second hand smoking exposure affects fetal growth with elevated risk of low birth weight, and increases the risk of Sudden Infant Death Syndrome.

- **Environmental Risk**

- Toxic air pollutant
- Indoor pollutant
- “Third Hand” smoking

Why Regulate?



- **Financial Drain**

- Health care costs and lost productivity incurred by second hand smoke-related diseases and death represent the medical costs of nearly \$6 billion per year in the United States.

- **Safety**

- Risk of structure fires and wildfires



El Cerrito's Report Card



American Lung Association's report examined three 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
- ▶ In Contra Costa County, only Richmond and unincorporated Contra Costa received A's; 63% of California received F's
 - ▶ Only 17 cities in California received A's

Other Local Cities with Second Hand Smoking ordinances

- ▶ Richmond
- ▶ Albany
- ▶ Berkeley
- ▶ Pinole
- ▶ Martinez
- ▶ Alameda
- ▶ Concord
- ▶ Dublin
- ▶ Contra Costa County

Parks, Recreation Areas, and Public Spaces

- ▶ State Law – Smoking is prohibited within 25 feet of tot lots and playgrounds
- ▶ As of January 1, 2011, 273 municipalities in California have restricted smoking in at least some recreation areas beyond state law
- ▶ Options for regulation include:
 - 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
 - 100% smokefree public commercial areas, including sidewalks (i.e. San Pablo Avenue, Fairmount Avenue), transit stops, other outdoor locations (ATM lines, taxi stands, etc.)

Multi-family Housing

- ▶ Three main areas to potentially regulate: nonsmoking units, nonsmoking common areas, and disclosure
 - State law bans smoking in indoor common areas where someone is employed (property manager, maintenance worker, etc)
 - State law requires landlords to inform tenants about areas on site where smoking is prohibited
- ▶ Options
 - Banning outright every unit (current and new)
 - Banning outright new units (grandfathered in)
 - Partial ban with designated smoking areas/units
- ▶ Considerations
 - Number of units (2 or more? 3 or more? 4 or more?)
 - Segregation of units—separate HVAC filter
 - Signs for smoking/non-smoking
 - Percentage of smokers/non-smokers
 - Senior and Affordable Housing
 - Hotels/Motels

Reducing Sales of Tobacco Products in El Cerrito

- ▶ State law currently regulates access to and sales of tobacco products as well as the sampling of these products
- ▶ City could opt to be more restrictive:
 - 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 sampling within the City

Next Steps

- Park and Recreation study session **07/24/2013**
- Study session with Environmental Quality Committee **08/13/2013**
- Public outreach (community meetings, surveys, online forums, social media)
- Outreach to specific groups (Landlords, Chamber of Commerce, community groups)
- Begin Draft Ordinance
- Community Input on Draft Ordinance
- City Council Consideration

Comments and Discussions

- Questions and Answers
- Public Comment
- Committee Comment and Discussion

Further Comments or Questions?

Karen Pinkos
Assistant City Manager
(510) 215-4302

kpinkos@ci.el-cerrito.ca.us
@kepinkos