

The Fairfax City Council voted to adopt an ordinance regulating secondhand smoke, prohibiting smoking in certain public places and amending the Fairfax Municipal Code 754. The ordinance goes into effect on July 01, 2011, limits public exposure to secondhand smoke in public areas. This pamphlet provides an overview of the ordinance and compliance duties.

#### FILING A COMPLAINT

- By mail/phone with the Marin County Tobacco Disease Control Program, 10 North San Pedro Road, Suite 1013, San Rafael, CA 94903, Phone: (415) 499-3020, or
- Online at [www.smokefreemarin.com](http://www.smokefreemarin.com)

#### POSTING OF SIGNS

The Person, Employer, Business or nonprofit entity with legal or actual control of a building subject to this ordinance shall clearly and conspicuously post "No Smoking" signs at entrances of every building, as well as every other place where Smoking is prohibited.

The Following Window Decals are available Free of Charge at City Hall, Chamber of Commerce, and the County of Marin (while supplies last):

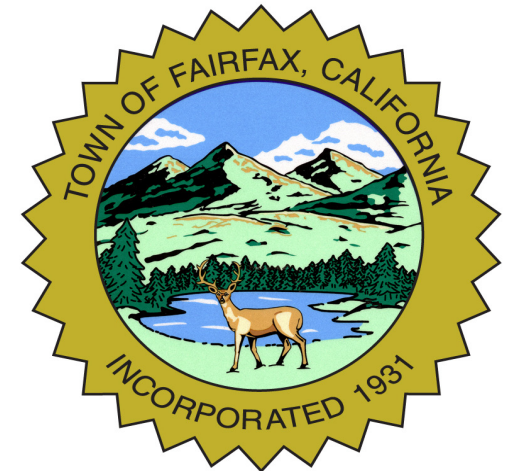
**NO SMOKING  
WITHIN 20 FEET OF ALL DOORS  
AND OPERABLE WINDOWS\***



*\*Per Local Ordinance*  
For more information call (415)499-3020  
Or visit [www.smokefreemarin.com](http://www.smokefreemarin.com)

#### MAJOR PROVISIONS – WHERE SMOKING IS PROHIBITED

- Minimum of 20 feet from any entrance, opening or exit of any enclosed area, including windows
- Minimum of 20 feet of service lines (ATMs, ticket lines, bus stops, transit shelters and cab stands)
- Within 20 feet of working road, building and construction crews
- Recreational areas (playgrounds, sporting facilities, children's play areas and rinks)
- Public events including but not limited to, sport events, entertainment, speaking performances, ceremonies, pageants, fairs and farmers markets
- Minimum of 80% of guest rooms in every hotel, motel and bed-and-breakfast facilities must be permanently designated as completely non-smoking
- Any place where food and/or drink is offered for sale, including outdoor areas of restaurants and farmers markets
- Multi-Unit Housing Common Areas
- No person shall dispose of smoking waste or tobacco waste within the boundaries of an area in which smoking is prohibited
- No person shall place or cause to be placed any ashtray, tobacco ash collector or receptacle in any area designated a non-smoking area
- In certain Multi-Unit Residences\*



## REGULATING SECONDHAND SMOKE ORDINANCE 754

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# What you need to know!

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## TIPS TO AIDE COMPLIANCE in: *Non-smoking Buffer Zones*

- Post “No Smoking” signs at building entrances to inform visitors that smoking is not allowed within 20 feet of doors, windows or vents or where food or drinks are served. Signage is **required by law**.
- Inform your employees, customers, clients and/or office building tenants of the updated smoke-free ordinance and that you could be fined for their violation.
- Do not allow smoking at anytime inside your workplace or in outdoor restricted areas (includes cigarettes, pipes, cigars, marijuana, weed, hookah pipe, etc).
- Any smoking on sidewalks can only occur while actively passing on the way to another destination- smoke cannot drift into open windows, doors, outdoor cafes, bars, bus shelters or lines.
- Research shows that 80% of all smokers would like to quit. Smoke-free public places create a safe environment for people in the quitting process.

For assistance with compliance or for more no-smoking decals, call 499-3020 or visit: [www.smokefreemarin.com](http://www.smokefreemarin.com).

## TIPS TO AIDE COMPLIANCE in: *Multi-Unit Housing, Smoke-free Units*

- Post “No Smoking” signs at main building entrances to inform visitors that smoking is not allowed within 20 feet of doors, windows or vents.
- Notify tenants that all indoor and outdoor areas (grounds and pools) are smoke-free.
- Notify all tenants that new leases & lease renewals will include an addendum: Any two units sharing a wall must be designated as smoke-free for a minimum 75% - 100% of units as they become available or after July 01, 2012.
- Private decks, balconies, porches of smoke-free units must be kept smoke-free at all times.
- All new units are smoke-free as they become available.
- Refer tenants to smoke-free cessation

### **MARIN CESSATION PROGRAMS**

- Bay Area Community Resources with classes in San Rafael. **415-755-2399**.
- The California Smoker’s Helpline also provides free phone cessation services to all California smokers at their convenience:

**1-800-NO-Butts.**  
[www.californiasmokershelpline.org](http://www.californiasmokershelpline.org)

## SECONDHAND SMOKE EXPOSURE AS A PUBLIC NUISANCE

The uninvited presence of a secondhand smoke in or within a reasonable distance of any entrance opening or other vent into any enclosed place of human habitation is a nuisance and a trespass, including, but not limited to the following places:

- ❖ Residential Uses and Structures
- ❖ Assisted Living Facilities
- ❖ Board and Care Homes
- ❖ Child Daycare Facilities
- ❖ Congregate Care Facilities
- ❖ Convalescent Hospitals
- ❖ Dwellings, Dwelling Units or Housing Units
- ❖ Group Care Facilities
- ❖ Group Homes
- ❖ Medical Services – Hospitals
- ❖ Medical Services – Extended Care Facilities
- ❖ Residential Care Facilities for the Elderly
- ❖ Residential Care Homes
- ❖ Rooming and Boarding Houses
- ❖ Skilled Nursing Facilities



ADDITIONAL RESOURCES  
Including information on smoking cessation:

Marin County Tobacco Related  
Disease Control Program  
[www.co.marin.ca.us/adtp](http://www.co.marin.ca.us/adtp)

Smoke-Free Marin  
[www.smokefreemarin.com](http://www.smokefreemarin.com)



\*Sources and further information about the Town of Fairfax Ordinance can be found at:  
<http://www.town-of-fairfax.org/> or  
<http://www.smokefreemarin.com/areas.html>