

## Local Tobacco Control Ordinances in Alameda County, February 2009

		CITY	Alameda County	Alameda (City)	Albany	Berkeley	Dublin	Emeryville	Fremont	Hayward	
<b>Secondhand Smoke Protections</b>	<b>WORKPLACE</b>	Businesses< 6 employees	Smoke-free	State law (1)	Smoke-free	Smoke-free	Smoke-free	Smoke-free	Smoke-free	Smoke-free	
		Company vehicles	State law (2)	State law (2)	Smoke-free	Smoke-free	State law (2)	Smoke-free	Smoke-free	State law (2)	
		Hotel Lobby	Smoke-free	State law (3)	Smoke-free	Smoke-free	Smoke-free	Smoke-free	Smoke-free	Smoke-free	
		Hotel Rooms	75% S-free	35% S-free (AB13)	80% S-free	75% S-free minimum	35% S-free (AB13)	60% smoke-free	60% S-free	35% S-free	
		Meeting and Banquet Rooms	State law (4)	State law (4)	State law (4)	Smoke-free	Smoke-free	Smoke-free	State law (4)	State law (4)	
		Tobacco Shops	No provision	No provision	No provision	No provision	No provision	Bans smoking in wholesale & retail tobacco shops and in private smokers lounges.	Bans smoking in wholesale & retail tobacco shops and in private smokers lounges.	No provision	No provision
		Hookah Bars	No provision	No provision	No provision	No provision	No provision	Included in ban on smoking in Tobacco Shops	Hookah bars not permitted	No provision	No provision
	<b>RESIDENTIAL</b>	Multi-family common areas	Smoke-free enclosed	No provision	Smoke-free enclosed and unenclosed	Smoke-free enclosed	Smoke-free enclosed & unenclosed	Smoke-free enclosed and unenclosed	Smoke-free enclosed	No provision	
		Smoke-Free Residential Units	No provision	No provision	24/7in family childcare, family care, health care in homes	24/7in family childcare and health care in homes	50% apt. units non-smoking by 2010/70% by 2012 24/7in family childcare homes	24/7in family childcare, family care, health care in homes	No provision	No provision	
		* Landlord Disclosure	No provision	No provision	Required	No provision	Required	No provision	No provision	No provision	
		Nuisance	No provision	No provision	No provision	No provision	YES, private action	YES but limited	No provision	Smoking where prohibited is a public nuisance and trespass	
	<b>OUTDOOR</b>	Entryways: Reasonable Distance	Yes - At least 15 feet	No provision	Yes - 25 feet	Yes - 25 feet	Yes - 20 ft	Yes - 25 feet	Yes - But No defined footage	Yes - Min. of 20 feet	
		Outdoor areas: Service Lines	No provision	No provision	Smoke-free	Smoke-free	Smoke-free	Smoke-free	No provision	Smoke-Free	
		Outdoor areas: Dining	Smoke-free	No provision	Smoke-free	Smoke-free	Smoke-free	Smoke-free	50% Dining	Smoke-Free	
		Outdoor areas: Bus Stops	No provision	No provision	Smoke-free	Smoke-free	Smoke-free	Smoke-free	No provision	Smoke-Free	
		Outdoor areas: Parks	No provision	No provision	Smoke-free	Playgrounds	Playgrounds, 100% Neighborhood parks, 100ft buffer in Community Parks	Smoke-free parks, playgrounds, greenways	No provision	Smoke-Free	
		Outdoor areas: Other	No provision	No provision	Workplaces, Solano Ave. sidewalks, sidewalks adjacent to schools, public events	Outdoor workplaces, stadiums, garages. Commercial area sidewalks.	All city-sponsored events with designated smoking area optional	Public places, workplaces, stadiums	No provision	Public Events and all unenclosed public places	
	<b>Reducing Youth Access</b>	Vending Mach.	Banned	Over 21 bars	Over 21 bars	Banned	Banned	Over 21 bars only	Over 21 bars	Over 21 bars only	
Tob Retailer Licensing		No provision	No provision	No provision	Passed	No provision	No provision	No provision	No provision		
Location/ Zoning of Smoke Shops		No provision	Not allowed on Webster and Park streets	No provision	Restricted 1400 ft. parks/schools	No provision	Restricted -1000 feet from schools/parks	No provision	No provision		
Enforcement			337-8340	525-7300	981-5330	925-833-6670	596-3700	790-6800	293-7073		

AB 13/ Labor code 6404.5 - California Smoke-Free Workplace Act - bans smoking in all indoor workplaces with some limited exceptions.

(1) Allows smoking only under some very restrictive conditions: Employees can be FT or PT; minors are not allowed; no employee req. to work in the area; air is exhausted directly outside; and employer complies with state and federal ventilation standards.

(2) Smoking prohibited except in truck cabs when no non-smoking employees are present.

(3) Up to 25 percent or 50 percent (depending on sq. footage) may be designated smoking by management.

(4) Smoking not allowed during food/beverage service, set-up and clean-up.

\*Landlord Disclosure: Requires landlords and condo sellers to disclose which units in complex are designated smoking and non-smoking; and how the complex handles drifting smoke complaints.

## Local Tobacco Control Ordinances in Alameda County, February 2009

		CITY	Livermore	Newark	Oakland	Piedmont	Pleasanton	San Leandro	Union City	
<b>Secondhand Smoke Protections</b>	<b>WORKPLACE</b>	Businesses < 6 employees	Smoke-free	Smoke-free	Smoke-free	State law (1)	Smoke-free	State law (1)	Smoke-free	
		Company vehicles	Smoke-free	State law (2)	Smoke-free	State law (2)	Smoke-free	State law (2)	State law (2)	
		Hotel Lobby	Smoke-free	Smoke-free	Smoke-free	State law (3)	Smoke-free	State law (3)	Smoke-free	
		Hotel Rooms	75% S-free	76% S-free	35% S-free (AB13)	35% S-free (AB13)	75% S-free	35% S-free (AB13)	60% S-free	
		Meeting and Banquet Rooms	Smoke-free	Smoke-free	Smoke-free	State law (4)	Smoke-free	State law (4)	State law (4)	
		Tobacco Shops	No provision	No Smoking Allowed in wholesale and retail tob shops and in smoking lounges.	No provision	No provision	No provision	No provision	No provision	Smoking lounges are not allowed in tobacco retail stores
		Hookah Bars	No provision	Hookah bars not permitted	No provision	No provision	No provision	No provision	No provision	Smoking lounges including "hukas" are not allowed in tobacco retail stores
	<b>RESIDENTIAL</b>	Multi-family common areas	Smoke-free enclosed	Sm-Free Common (indoor)	Sm-Free Common (indoor/outdoors)	No provision	Smoke-free enclosed	No provision	Smoke-free enclosed	
		Smoke-Free Residential Units	No provision	24/7in family childcare and health care facilities	24/7in family childcare, family care, health care in homes	No provision	24/7in family childcare and health care facilities	No provision	No provision	
		* Landlord Disclosure	No provision	No provision	Required	No provision	No provision	No provision	No provision	
		Nuisance	No provision	No provision	No provision	No provision	No provision	No provision	No provision	
	<b>OUTDOOR</b>	Entryways: Reasonable Distance	Yes - No defined footage	Yes - Min. of 20 feet	Yes - Min. of 25 feet - bars exempt unless incursion	No provision	Yes - No defined footage	No provision	Yes - Min. 20 ft.	
		Outdoor areas: Service Lines	No provision	Smoke-Free	Smoke-free	No provision	No provision	No provision	Smoke-Free	
		Outdoor areas: Dining	No provision	Smoke-Free	Smoke-free	No provision	Smoke-Free	No provision	50% Dining	
		Outdoor areas: Bus Stops	No provision	Smoke-free	Smoke-free	No provision	No provision	No provision	No provision	
		Outdoor areas: Parks	100 ft from bldgs., trails, rec areas	No provision	Smoke-free	No provision	No provision	No provision	No provision	
		Outdoor areas: Other	Stadiums	Stadiums	Outdoor construction sites in Oakland hills	Stadiums				
	<b>Reducing Youth Access</b>	Vending Mach.	Banned	Banned	Over 21 bars only	Over 21 bars only	Over 21 bars only	Over 21 bars only	Banned	
Tob Retailer Licensing		No provision	No provision	\$1,500 annual inspection fee	No provision	No provision	No provision	No provision		
Location/ Zoning of Smoke Shops		No provision	No provision	Major CUP required for sale of any tobacco within 1,000 ft of residential zones, schools, playgrounds, churches, libraries, child care.	No provision	No provision	Restricted 1500 ft. schools, parks, libraries. CUP req. See zoning code.	No provision		
Enforcement		925-371-4797	794-2345	238-2257	420-3040	925-931-5620	577-3242	471-1365		

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