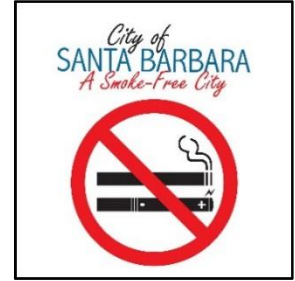


## **Frequently Asked Questions on Smoke-Free Outdoor Public Areas Law**

### **Where is smoking prohibited?**

- Parks including open spaces, natural areas, community and neighborhood parks, sports fields, and trails
- Beaches
- Sidewalks, plazas, and paseos citywide in commercial and residential areas
- City-owned parking structures and lots
- Stearns Wharf
- Outdoor restaurant patios before 10:00 p.m.
- Outdoor recreational areas and sports facilities, community centers and library plazas
- Events open to the public such as public markets, parades, festivals, art shows, and concerts
- Bus stops, ticket areas, and transit centers
- Designated common areas of Santa Barbara Golf Club, including the driving range, practice and teaching areas, practice green, clubhouses, maintenance areas, restaurant and patios, pro shop, and parking lots
- Any business establishment declared by the owner or operator as a non-smoking establishment
- Places of employment
- Residences used as a child care, health care, board and care, or community foster care facility (as defined by the state Health and Safety Code)



### **Where is smoking allowed?**

- Private residential properties, except when used as a child care, health care, board care, or foster care facility
- Private parking lots
- Inside a private automobile when not parked in a City parking structure or lot
- Marinas and private boats
- Designated hotel guest rooms
- Santa Barbara Golf Club for registered golfers during a round of golf: From the 1<sup>st</sup> tee box to the 18<sup>th</sup> green, including the teeing areas, fairways, rough, playing greens, hazard areas, and golf cart pathways
- Outdoor bar patio areas at all times
- Outdoor restaurant patio area after 10:00 p.m., unless business establishment prohibits smoking
- Retail tobacco stores, provided that no one under 21 is permitted to enter
- Designated areas outside of the airport terminal

### **When does the new smoking law take effect?**

Effective September 15, 2017, smoking is prohibited in outdoor public areas. Public education and training on the new smoking law is currently underway. The City will use verbal warnings and public education as the primary means of enforcement. Signage on sidewalks and various outdoor areas will be installed by early 2018.

### **What does smoking include?**

Smoking is defined to include cigarettes, cigars, electronic smoking or “vaping” devices, and marijuana. [Read the ordinance](#) for a comprehensive definition.

### **Where can I go to smoke? What if smoking is not allowed near my workplace?**

Your help is appreciated to find private locations where smoking is permitted. Smoking is allowed in your private residence and vehicle. Talk to your employer to determine if there is a private location for you to smoke (i.e. private parking lot or a parking lot not owned by the City).

## **Why did the City adopt a new smoking law?**

Taking effect on September 15, 2017, the City's new smoking law is intended to limit exposure to secondhand smoke, lower the risk of fires, and reduce cigarette butt litter. Cigarette butts are one of the largest sources of litter in public areas. During beach clean-up efforts, volunteers find thousands of cigarette butts on the beach each year. The City Council received hundreds of comments from the public supporting a broad ban of smoking in outdoor public areas. Letters of support were received from environmental organizations, local businesses, public health groups, and youth and family organizations.

Many public areas in Santa Barbara were designated smoke-free by private policy, including: Santa Barbara City College (SBCC), University of California, Santa Barbara (UCSB), Schott Center, Paseo Nuevo, Santa Barbara Zoo, and Earl Warren Showgrounds.

The City's smoking law was last updated in 2002 and was no longer current. In an American Lung Association annual review of smoking policies in different cities, Santa Barbara received a "D" grade. In June 2016, new state laws went into effect that prohibit the use of electronic smoking or "vaping" devices anywhere cigarette smoking is not allowed. Furthermore, smoking was redefined to include marijuana.

## **How can businesses maintain a smoke-free environment for their customers?**

Businesses are responsible for maintaining a smoke-free area in their business establishment for their employees and customers. It is important to educate employees about smoke-free outdoor areas so they can inform customers to comply with the law. Courtesy of the County Public Health Department, window decals will be available for business owners interested in posting their support for smoke-free areas. Decals will be mailed directly to businesses with outdoor patios. [A JPG graphic is available online](#) (more file types coming soon) to custom design materials for your business.

The ordinance does not require businesses to post "No Smoking" signs. The California State Labor Code (LC 6404.5) requires that a "No Smoking" sign/symbol be posted at every entrance to an enclosed place of employment.

Every hotel and motel must have signs posted conspicuously in the registration and lobby areas which state that nonsmoking rooms are maintained and may be available; rooms designated as being nonsmoking shall have signs announcing the restriction conspicuously placed inside the room.

## **Who do I contact for more information, resources, or detailed questions about the law?**

Information is available on the City's website page at [SantaBarbaraCA.gov/Smoking](http://SantaBarbaraCA.gov/Smoking). For further questions, please contact the Santa Barbara County Tobacco Prevention Program at (805) 681-5407 or email [phdtobacco@sbcphd.org](mailto:phdtobacco@sbcphd.org).

## **How will the smoking law be enforced?**

The City will use verbal warnings and public education as the primary means of enforcement. It is up to members of the public to understand the law and smoke away from public areas. Police officers and other enforcement officers have the authority to issue citations for violating the ordinance.

## **What are the penalties for violating the law?**

Smoking code violations are considered infractions, with a Superior Court fine of \$155 for a violation.