

SECONDHAND SMOKE FACTS

- The 2006 U.S. Surgeon General's Report stated that there is no "safe" level of exposure to secondhand smoke.
- The United States Environmental Protection agency (EPA) has found secondhand smoke to be a risk to public health, and has classified secondhand smoke as a group A carcinogen, the most dangerous class of carcinogen.
- The California Air Resources Board has categorized secondhand smoke as a toxic air contaminant, putting it in the same category as the most toxic automotive and industrial air pollutants.
- The City of San Luis Obispo is subject to regulations under the Stormwater Management Program mandated by the California Regional Water Quality Control Board. These regulations reduce the environmental impact from stormwater run-off and human activities in the local creek systems. Cigarette filters and plastic wraps from cigarette packages are not biodegradable and cigarette related waste discarded in parks, along sidewalks, and in street gutters make their way through storm drains into creeks and rivers leaking dangerous chemicals into the City's watershed.
- The World Health Organization (WHO) estimates that by 2030, tobacco will account for 10 million deaths per year, making it the number one cause of death worldwide.

Contact Us

Address: 990 Palm Street
San Luis Obispo, CA 93401-3249

Phone: (805) 781-7100

Police: (805) 781-7317 (Non-Emergency)

Website: www.slocity.org/contact.asp

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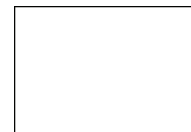
city of
san luis obispo



INTRODUCTION TO THE NEW NO SMOKING ORDINANCE

WHAT YOU NEED TO KNOW

Breathe easy...
SLO
...you're in San Luis Obispo.

The logo for San Luis Obispo (SLO), featuring the letters "SLO" in a bold, blue, sans-serif font. The letter "O" is stylized with a blue, wavy, ribbon-like graphic that flows from the top right and loops around the bottom of the "O".

About the No Smoking Ordinance

What is the No Smoking Ordinance?

The San Luis Obispo City Council has voted to adopt an ordinance regulating secondhand smoke based on public input. This ordinance builds on the groundbreaking laws passed in 1990, which made San Luis Obispo the first municipality in the world to ban smoking in all indoor public places. The new ordinance that went into effect on May 20, 2010, extends public protection from secondhand smoke to include all outdoor areas where the public may be present.

This guide provides a brief overview of the ordinance, and how it affects residents, employees, business owners, and visitors to the City. Below is a concise summary of the ordinance; for more information go to:

www.slocity.org/specialactivities/smoking.asp

A Brief Overview of Municipal Code Chapter 8.16

The intent of the City Council in enacting this ordinance is to protect the public health, safety, and general welfare of residents and visitors by prohibiting smoking in public and private places under circumstances where other persons will be exposed to secondhand smoke. This ordinance also ensures a cleaner and more hygienic environment for the City's residents and visitors, and its natural resources, including parks and open spaces.

Efforts have been made to strike a reasonable balance between the needs of nonsmokers to breathe smoke-free air, and those of smokers.

Where you cannot smoke

Smoking is prohibited **everywhere** in the City, with some exceptions, as listed in the next section.

Where you can smoke

- Private residential property, other than those used as a child-care or health-care facility.

- In 25% of hotel or motel guest rooms that have been permanently designated as smoking rooms.
- Designated outdoor areas at bars which do not serve food.
- Existing tobacco retailers (with some restrictions).
- Any outdoor area in which no non-smoker is present and, due to the time of day or other factors, it is not reasonable to expect another person to arrive.

Reasonable Distance

Smoking in unenclosed areas is prohibited within a reasonable distance (minimum of **twenty (20) feet**) from any entrance, exit, opening, or operable window into an enclosed area in which smoking is prohibited.

FREQUENTLY ASKED QUESTIONS

Has the City of San Luis Obispo banned smoking?

No. The purpose of the comprehensive secondhand smoke ordinance is to limit public exposure to secondhand smoke in public and private areas within the City.

What should I do if I witness someone violating the ordinance?

If you are at a business, retail store or restaurant, please ask an employee to enforce the ordinance. If you are walking down the street or in another public place, you can ask the smoker to extinguish their cigarette, cigar or pipe. If you are uncomfortable doing so, or the person refuses your request, please contact the **Police Department** at **(805) 781-7317**.

How will the ordinance be enforced?

The ordinance provides a variety of methods of enforcement. The City expects to rely on warnings and citations for most offenders but will consider more serious penalties for willful or repeat offenders.

What if I don't see a sign?

While efforts will be made to post signs in public areas, the presence or absence of signs shall not be a defense to the violation of any other provision of the ordinance.

Information for Business Owners

Smoking is prohibited in places of business, regardless of the hours of operation. This includes indoor and outdoor work areas, construction sites, vehicles used in employment or for business purposes, employee lounges, long-term health facilities, and private residences that are used as child or health care facilities, with some exceptions, including:

- Bars that do not serve food may have one clearly designated, unenclosed area in which smoking is permitted. The area must be more than five (5) feet from any doorway or opening to an enclosed area, and is only permitted provided no smoke enters adjacent areas in which law or policy prohibits smoking.
- Up to twenty-five percent (25%) of guest rooms in any hotel or motel may be designated as smoking rooms, if the hotel or motel permanently designates at least seventy-five percent (75%) of its guest rooms as nonsmoking rooms with permanent "No Smoking" signs posted in each room.
- Existing tobacco retailers at the time of this ordinance being adopted. Premises must be equipped with a dedicated air-ventilation system within 6 months of this law going into effect.

Signs clearly designating smoking and nonsmoking areas must be posted as established in the municipal code. The manner in which the signs are posted is left to the discretion of the owner or manager, as long as clarity, sufficiency and conspicuousness are apparent. See the City's website for the ordinance in full.

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