

# Smoke-Free Arcata

## Summary of Title V, Section 5701



### **Title V: Sanitation & Health, Chapter 7 Restricting Smoking in the City**

**Purpose** (Sec. 5701): To protect the public health and welfare of Arcata citizens and to strike a reasonable balance between persons who smoke and non-smokers to breathe smoke-free air, and to recognize that where these needs conflict, the need to breathe smoke-free air shall have priority.

### **Where smoking is prohibited** (Sec. 5705):

- Smoke-Free Public Right-of-Way (except while actively passing to a destination & not within 30-feet from any building entrance).
- Smoke-free Plaza and Transportation Center (including all sidewalks around the Arcata Plaza on 9<sup>th</sup> and 8<sup>th</sup> Streets, and H and G Streets).
- Smoke-Free Outdoor Dining.
- Smoke Free Parks and Open Space.
- Smoke-Free Worksites (both indoor and outdoor).
- Smoke-Free Public Events (all events requiring city permit).
- Smoke-Free Service Lines (such as ATM, food service, bus stops).
- Smoke-Free Building Entrances (no-smoking within 30-feet doors and windows).
- Smoke-Free Multi-Unit Housing (2+ units)
  - Common Areas both indoor and outdoor (such as walkways, courtyards, parking areas, laundry facilities, playgrounds, elevators, stairs).
  - Building Entrances, including 30-feet from doors and windows AND
  - All private decks and patios.
- Smoking restrictions apply equally to cigarettes, marijuana, cigarillos/cigars, hookah, pipes and e-cigarettes.

## Exceptions (Sec. 5704):

- Any hotel or motel may designate up to twenty percent (20%) of rooms as smoking permitted.<sup>i</sup>
- Multi-Unit Housing owner may establish designated smoking areas that meet the following requirements:

(Sec. 5704 C.)

1. The area is located at least thirty (30) feet from any residential living space or enclosed area where smoking is prohibited by this Chapter;
2. The area must not include, and must be at least thirty (30) feet from, (i) unenclosed areas primarily used by children and/or (ii) unenclosed areas containing improvements that facilitate physical activity including, for example, playgrounds, tennis courts, swimming pools, school campuses, and sandboxes;
3. The area must be no more than ten percent (10%) of the total unenclosed area of the multi-unit residential complex for which it is designated;
4. The area must have a clearly marked perimeter;
5. The area must be identified by conspicuous signs;
6. The area must be completely within an unenclosed area; and
7. The area must not overlap with any enclosed or unenclosed area in which smoking is otherwise prohibited by this Chapter, state law, or federal law.

Any owner or manager may declare the entire business or multi-unit housing facility 100% smoke-free (Sec. 5704 B).

## Local Quit Smoking Resources:

- The California Smokers' Help Line provides materials and free telephone counseling and referrals. **1-800-NO-BUTTS.**
- Internet support is easy to find, for example:
  - Become An EX. <http://www.BecomeAnEX.org>
  - QUITNET. <http://www.quitnet.com>,
  - American Cancer Society. <http://cancer.org/smokeout>
- Smartphone Apps can be found at <https://smokefree.gov/tools-tips/apps>

For more information about smoke-free policies contact the Tobacco Free Humboldt Program at 707-268-2132.

“It shall be the responsibility of any person smoking outside to ensure that smoke does not enter any buildings through open windows or doors” (Sec. 5703 F.).

To file a complaint about smoking in Arcata contact the  
Arcata Police Department at 822-2428

<sup>i</sup> Local ordinance exempts up to 45% of rooms but is now superseded by state law exempting only up to 20% (June 2016).