

The Novato City Council has voted to adopt an ordinance regulating secondhand smoke, prohibiting smoking in certain public places and amending the Novato Municipal Code. The ordinance, which goes into effect on July 22, 2008, limits public exposure to secondhand smoke in public areas. This pamphlet provides a brief overview of the ordinance, and some facts about the dangers of secondhand smoke.



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

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

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)
- 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, sports events, entertainment, speaking performances, ceremonies, pageants, parades, fairs and farmer's markets
- Minimum of 80% of guest rooms in every hotel and motel and bed-and-breakfast facilities must be permanently designated as completely non-smoking
- Any place where food and/or drink offered for sale, including outdoor areas of restaurants and farmer's markets, except unenclosed areas of a stand-alone bar
- Multi-unit Commons 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*

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):



ADDITIONAL RESOURCES

Including information on smoking cessation:

Marin County Tobacco Related Disease Control Program
www.co.marin.ca.us/adtp

Smoke-Free Marin
www.smokefreemarin.com



*Sources and further information about the ordinance is posted on the City's website at www.ci.novato.ca.us. You may also contact the City directly at (415) 899-8900 and speak to a staff member who can answer your questions.