

City Council

December 16, 2014

STUDY SESSION SMOKING REGULATIONS UPDATE



• City Council Goal #6:

Commit to Making Santa Rosa a Healthy Community Where People Feel Safe to Live, Work, and Play

• Strategic Objective #2:

Expand the City's smoking ordinance for public/private places

• Smoking regulation is not new in Santa Rosa



- Prohibit smoking in attached multifamily housing.
- 2. Prohibit smoking on City-owned recreational properties including parks.
- **3.** Prohibit smoking at all City-owned properties.
- 4. Prohibit smoking in outdoor service areas.



- 5. Include the use and sale of electronic smoking devices in the definitions of "smoking" and "tobacco or smoke shop."
- Evaluate increasing the percentage of smoke free guest rooms within hotels and motels from 50% to 75%.



- Evaluate increasing the minimum "reasonable distance" from 20 feet to 25 feet.
- 8. Research second-hand smoke as a public nuisance.



 "Igniting, inhaling, exhaling, burning, vaping, operating, or carrying any lighted cigar, cigarette, pipe, hookah, electronic smoking device, tobacco product, or any other combustible substance including marijuana."



Unenclosed Nonresidential Places

Current smoking prohibitions

- Recreation areas (exception)
- Transit Mall
- Westside Transfer Station
- Proposed changes
 - City-owned properties
 - Service areas including bus stops

- Courthouse Square
- Outdoor dining areas

- Entire park properties
- Eliminate exceptions

Reasonable distance



- Residential properties containing two or more units with one or more shared walls, floors or ceilings.
- Addresses second hand smoke and vapor.
- May affect up to 25,000 housing units (36 percent of total units).



Smoking prohibited:

- Common areas
- Residential units
- Exclusive use areas such as a private balcony, porch, deck, or patio

Smoking allowed:

Designated smoking areas (optional)



- March 2015 (estimated):
 - Smoking prohibited in all common areas and in new units.
- During the first year
 - Existing smoking units transition to nonsmoking units.
- By March 2016
 - All multifamily residential units are nonsmoking.

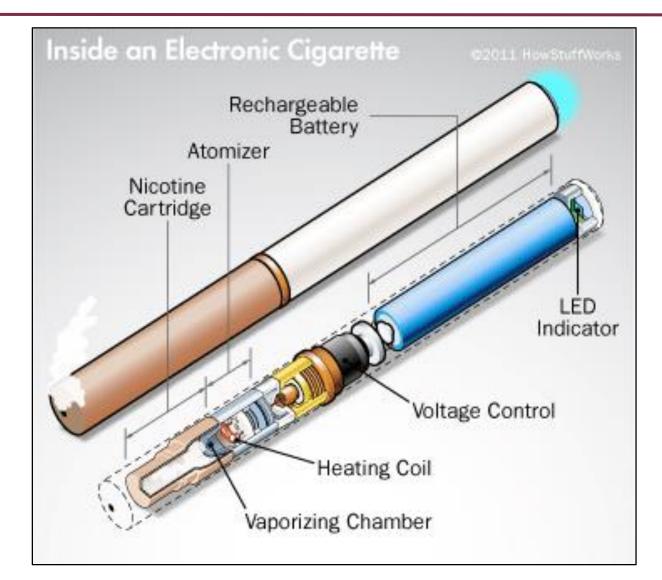


• Tobacco or smoke shop:

Any store, stand, booth, or concession that devotes 30% or more of its display floor area to tobacco products, or to the display and sale of tobacco, <u>electronic smoking devices</u>, or drug paraphernalia to purchasers for consumption or use.

- Tobacco or Drug Paraphernalia definition
- New definition of "electronic smoking device"











anta Rosa Education and Enforcement

- Public education
 - Proposed assistance from Sonoma County **Department of Health Services**
- Enforcement
 - Code Enforcement
 - Police Department



anta Rosa Education and Enforcement

- Public outreach to inform community of new law
- Smoke-free Sonoma County website



www.sonoma-county.org/BreatheEasy

Best Indoor Air!

Breathe Easy at Home!

CELEBRATE SMOKE-FREE SONOMA COUNTY!

On January 12, 2013, all residential multi-unit housing in the unincorporated area goes smoke-free. Learn more at www.sonoma.county.org/BreatheEasy

County Ordinance No. 5947



Give the gift of fresh air. Your children will thank you! CELEBRATE SMOKE-FREE SONOMA COUNTY! On January 12, 2013 all residential multi-unit housing goes smoke free Learn more at www.sonoma-county.org/BreatheEasy County Ordinance No.5947



- Designated smoking areas:
 - Portion of unenclosed area where smoking may be allowed.
 - Separation requirements (25 feet minimum)
 - Additional requirements for multifamily residential
- Hotels and motels
- Smoke as public nuisance



- City Council Meeting on August 26, 2014
- Community Meetings
 - September 25 and October 1
- Board of Community Services on October 22
- Planning Commission on October 23
- City Council Study Session on December 16
- Public Hearing in February 2015



- Accept the report regarding the Smoking Regulations Update;
- Direct staff to schedule the proposed revisions to Chapter 9-20 of the City Code and the Zoning Code for a public hearing and decision.

Department of Health Services Coordination Local Jurisdictions and Ordinance Education

> Ellen Swedberg, Terese Voge County of Sonoma Department of Health Services



www.Sonoma-county.org/breatheeasy

Department of Health Services			
Announcements	About DHS Our Services	Health Topics	Meetings and Co
You are here: County of Sonoma » Department of Health Serv Smoke-free Sonoma Cou Breathe Easy!			
FAQs State and Local Smoking Regulations There Is No Constitutional Right to Smoke	Housing Guidelines for tenants addressing a drifting smoke issue Toolkits for Businesses, Landlords, Residents	Businesses Tobacco Control Laws That Affect Retail Businesses Which ordinance applies to me?	
More	More	More	
Providers	In the News	<u>e-Cigarettes</u>	
Quick Reference Guide: Treating Tobacco Use and Dependence Samples of Tobacco-free Employee Policies	State of Tobacco Control 2014 - Local Grades New Survey Finds Tobacco And Other Unhealthy Products Easily Available And Especially Appealing To Kids In	Use Among Middle and High School Students Fact Sheet: e-Cigarettes	

Guidelines for Addressing Drifting Smoke

- Have they spoken to the smoker?
- Are there others that are also affected?
- Speak with the landlord
- Document the situation
- Write a letter to the landlord

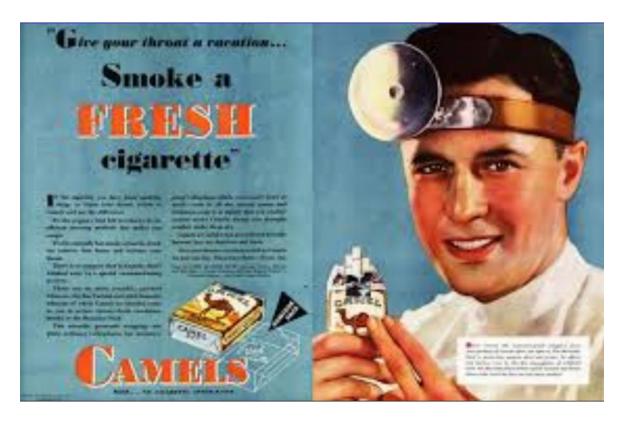
Guidelines for Addressing Drifting Smoke

- Contact the Department of Health Services to request assistance
- If County jurisdiction review documentation for warning letter
- If Petaluma forward package of information to code enforcement

Technical Assistance

- FY 2013-14
 - Santa Rosa 12.5 hours
 - Other jurisdictions 24 hours
- Since July 2014
 - Santa Rosa (7.5 hours) 23 calls
 - Other (20.5 hours) 63 calls

Sound Familiar?









The FDA, WHO, & ALA

Safety and efficacy largely unknown

More scientific research is needed

"The thresholds for human toxicity of potential toxicants in ecigarette vapor are not known, and the possibility of health risks to primary users of the products and those exposed passively to their emissions must be considered."

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"Not merely water vapor"

Sources:

- 1. American Industrial and Hygiene Association White Paper, Oct 2104
- 2. "E-Cigarettes: A Scientific Review" Contemporary Reviews in Cardiovascular Medicine, 2014

E-Cigarettes – Risks of Passive Exposure

Research Shows:

- Not emission-free, Emits nicotine above healthy levels, and the aerosol contains VOCs and particulate matter, not just water "vapor"
- Shown to negatively impact the human lung





- Elevated levels of nicotine found in homes of e-cigarette users (compared to non ecigarette users).
- Bystanders intake nicotine

Data Sources: American Industrial and Hygiene Association White Paper, Oct 2104. Environmental Research journal Photo Source: Flickr farm8.staticflickr.com, Flickr planetc1

E-cigs and Air Pollution

Elevated levels of carcinogens and toxic chemicals detected, including:

- Acetic acid
- Acetone
- Isoprene
- Formaldehyde
- Acetaldehyde
- Fine particles



10 chemicals on Calif Prop 65 list

Youth Health Concerns



Young Lungs Percentage of U.S. students in grades 6-12 who have used an electronic cigarette at least once 2011 2012 10% 8 2 Middle High Both school school groups Source: CDC National Youth Tobacco Survey The Wall Street Journal

- Research shows \uparrow use
- Health concerns, early nicotine addiction and impact on brain development
- Modeling and social norms
- Secondhand smoke

Photo: Flickr manymeez