

SMOKING  
AND  
TOBACCO  
CONTROL

MONOGRAPH

3

# Major Local Tobacco Control Ordinances in the United States

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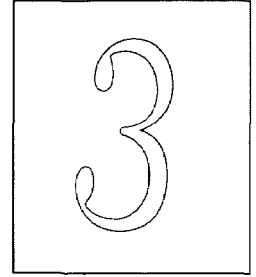
SMOKING

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# Major Local Tobacco Control Ordinances in the United States



US DEPARTMENT OF HEALTH  
AND HUMAN SERVICES  
Public Health Service  
National Institutes of Health

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# Foreword

The adoption of local ordinances regulating the use or sale of tobacco represents an extraordinary social trend in the United States. Although such laws were virtually unheard of just a decade ago, hundreds of cities and counties across this country have taken aggressive action to control smoking in public settings as well as making it more difficult for minors to obtain tobacco.

*Major Local Tobacco Control Ordinances in the United States* provides clear documentation of the extent to which local communities are enacting legislation to restrict or severely curtail tobacco use. The monograph also represents a social barometer regarding the seriousness with which communities view the smoking problem and the range of remedial actions taken to reduce tobacco use through socially responsible public policies.

These ordinances are not based on social whim, however, but are based on decades of scientific research, which has increasingly documented the health consequences of tobacco for users and non-users alike. Since the early 1960's, medical science has left no doubt about the deadly nature of tobacco use, especially the practice of cigarette smoking. The scientific data base establishing a causal connection between smoking and increased death rates from various cancers, cardiovascular diseases, chronic obstructive lung diseases, fetal distress, and other chronic and debilitating conditions is truly staggering. Between 1960 and 1990, more than 60,000 scientific citations appeared in the worldwide literature linking cigarettes and other forms of tobacco use to these adverse health outcomes. Smoking is a health hazard in its own right, but smoking potentiates the risks of several environmental and occupational carcinogens. More than 400,000 premature deaths annually occur in the United States directly attributed to the effects of cigarette smoking. Of course, we should recall that even smokeless tobacco is a health hazard.

Such high levels of death and disability affect us all, however, whether we smoke or not. In a comprehensive study conducted by the Congress' Office of Technology Assessment in 1985, it was estimated that cigarette smoking alone cost this Nation upwards of **\$95 billion** annually. Given the spiraling increase in costs for both acute and long-term health care over just the last few years, such costs would be substantially greater in 1993 dollars. As a Nation, we simply cannot afford to pay for the health care costs associated with smoking.

Our knowledge of the health consequences resulting from exposures to environmental tobacco smoke (ETS) (often termed passive or involuntary smoking) has lagged behind our knowledge about active smoking. The first studies suggesting a correlation between ETS and acute health effects in nonsmokers did not appear until the 1970's—or some two decades after studies linking cigarette smoking to lung cancer in smokers. Those early epidemiological studies on ETS primarily involved very young children, usually under the age of 2, who lived with parents who smoked and demonstrated a consistent elevation in risk between ETS and acute respiratory tract infections and symptoms. A decade later, in January 1981, the first studies appeared suggesting an association between ETS and lung cancer in adults, and later studies appeared purporting an association between ETS and coronary heart disease (CHD).

By the time the National Academy of Sciences and the U.S. Surgeon General published their separate reports in late 1986, a significant body of information was available for both reports to conclude that nonsmokers' exposure to ETS was hazardous, for both children and adults. In subsequent years, literally hundreds of additional studies have been published: More than 100 studies now exist on ETS and respiratory effects in children up to age 18 years; over 30 studies examine ETS and lung cancer in adults; and more than a dozen investigations examine the relationship between ETS and CHD.

If there were any lingering doubts among legitimate scientists about the validity of ETS as a significant health risk, those doubts evaporated in January 1993, when the U.S. Environmental Protection Agency (EPA) released its long-awaited risk assessment. *Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders*, the EPA report, reached the following major conclusions:

In adults:

ETS is a human lung carcinogen, responsible for approximately 3,000 lung cancer deaths annually in U.S. nonsmokers.

In children:

ETS exposure is causally associated with an increased risk of lower respiratory tract infections such as bronchitis and pneumonia; an estimated 150,000 to 300,000 cases annually in children up to 18 months of age are attributed to ETS.

ETS exposure is causally associated with increased prevalence of fluid in the middle ear, symptoms of upper respiratory tract irritation, and a small but significant reduction in lung function.

ETS exposure is causally associated with additional episodes and increased severity of symptoms in children with asthma; it is estimated that up to 1 million asthmatic children have their condition worsened by exposure to ETS.

ETS exposure is a risk factor for new cases of asthma in children who have not previously displayed symptoms.

*ETS is the ONLY agent ever classified as a human carcinogen by the U.S. Environmental Protection Agency where the risk is based on actual ambient levels of exposure.*

The grassroots response to this evolution of scientific certainty is clearly documented in this monograph. Indeed, this response is nothing less than revolutionary in its importance for public health practice in this country. One lesson is the role of city and county governments in promoting public health; more than 700 local ordinances offer strong testimony to the ability of local government to tackle complex issues at the community level. In the past such problems were thought beyond the scope or ability of local government to address adequately. But as this document makes clear, it has been local government action—not State or Federal—which has pursued and enacted stringent control measures restricting or banning smoking in public settings and limiting the accessibility of tobacco by young people.

Because tobacco use is by far the leading cause of premature death and disability in our society, the role of tobacco control policy in health care cost containment—whether at the national, state, or local level—cannot be overstated. And, as this publication illustrates, all of us can take tangible steps to contain these costs by reducing smoking and thus preventing disease.

*Major Local Tobacco Control Ordinances in the United States* should also provide a tangible boost for local tobacco control policy development. It contains a comprehensive review of local and State tobacco control legislation, trends in tobacco control ordinances, and model laws for reducing both nonsmokers' exposure to ETS and youth access to tobacco products. It is, in short, a call to action to all who wish to improve the health of our Nation through reasonable and prudent public health policies that reduce tobacco addiction among our young and protect nonsmokers from the documented hazards of environmental tobacco smoke. Nevertheless, true prevention of smoking-related illnesses must depend on individual responsibility and action. Each of us as individuals must do our part.

Samuel Broder, M.D.  
Director  
National Cancer Institute

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# Introduction

*Major Local Tobacco Ordinances in the United States* is a departure in both scope and format from the previous efforts in this monograph series. While our earlier monographs examined new and emerging information concerning our scientific knowledge about cigarette smoking and smokeless tobacco and interventions that may affect these behaviors (US DHHS, 1991 and 1992), this volume identifies, in matrix format, all known tobacco control ordinances at the local level in the United States through mid-1992.

While the primary purpose of the STCP monograph series is to summarize information and findings from NCI-funded trials and studies, the monographs are intended also to serve as “a mechanism for codification and synthesis of information relevant to the use of those agencies, institutions, and individuals in the Nation that can affect the formulation of public policy related to smoking and tobacco use” (US DHHS, 1991).

The first STCP monograph (US DHHS, 1991) clearly demonstrated that, while interventions directed toward the individual are important, to accelerate the decline in smoking rates, comprehensive approaches are now required which emphasize changes to the smoker’s (and potential smoker’s) larger social environment. The environmental changes believed most important to influence smoking initiation and cessation include

- Increased tobacco costs;
- Media campaigns;
- Declining social acceptability of smoking;
- Limitations on where smoking is permitted; and
- Restriction of minors’ access to tobacco.

This monograph examines trends in the passage of local ordinances in two major policy areas: (1) limiting smoking to protect nonsmokers and (2) reducing youth access to tobacco. In addition to an examination of local ordinances, this volume includes model ordinances based on existing laws for the assistance of policymakers at the community level. Two model ordinances address the issue of protecting nonsmokers in enclosed public places and workplaces, and three address minors’ access to tobacco. These latter models address tobacco vending machines,

free tobacco samples, and licensure for retail sales of tobacco products.

**MONOGRAPH  
ORGANIZATION  
AND DATA  
COLLECTION**

Information contained in this volume was developed for the National Cancer Institute by Americans for Nonsmokers' Rights of Berkeley, California. This publication covers ordinances adopted through September 1992.

The ordinances included in the data base came from several sources. The first is ANR's collection of local tobacco ordinances. Other ordinances were identified and obtained through mailings to agencies in all 50 states. Those surveyed included local nonsmokers' rights groups, State health officers, and voluntary health agencies, including the American Lung Association, American Heart Association, and American Cancer Society.

Other ordinances were identified from media sources such as news clips. Some were identified from existing lists of ordinances, including those of the Tobacco Free America Clearinghouse, the Texas Health Department, Colorado GASP, and Massachusetts GASP. In all cases, ordinance texts were collected and analyzed.

Charts I through III cover the provisions of ordinances that restrict smoking to protect nonsmokers. To be included, such ordinances must have as their purpose and effect the protection of nonsmokers from the health effects of passive smoking. Not included are older ordinances that merely limit smoking to prevent fires. There are also numerous ordinances and administrative policies adopted by cities and counties that limit smoking only in government offices. Because of their limited impact on the public at large, these ordinances are not listed here; however, they may be obtained through city or county clerks.

Charts IV and V cover ordinances restricting youth access to tobacco products. Chart IV covers ordinances eliminating or restricting the placement of cigarette vending machines. Chart V covers ordinances that ban or limit distribution of free tobacco product samples and ordinances mandating tobacco retail licensing. Licensing ordinances are included only if they provide a mechanism for revocation to enforce the law against sales to minors.

Appendix A contains two tables listing the number of local tobacco control ordinances, by state. Table 1 covers smoking ordinances, while Table 2 covers youth access ordinances.

Appendix B contains information on State tobacco control laws. Table 1 covers clean indoor air laws, Table 2 lists age

restrictions for tobacco sales, Table 3 covers State vending machine laws, and Table 4 covers State restrictions on the free sampling of tobacco products.

Appendix C contains model local ordinances.

New tobacco control ordinances are continually being passed. The editors greatly appreciate readers' contributions to future updates of this publication. Please mail copies or lists of ordinances to ANR, 2530 San Pablo Avenue, Suite J, Berkeley, CA 94702, or telephone (510) 841-3032.

## **HOW TO USE THE CHARTS**

To condense a large amount of information into a small space, abbreviations are used extensively. The word "yes" in a given column indicates that smoking is restricted in the given environment or that an ordinance contains the given provision.

- **Chart I, Smoking Ordinances: Summary of Provisions**, is a quick reference to the current provisions of local smoking ordinances. It lists the original date of enactment, population of affected areas, and whether smoking is limited in workplaces, restaurants, and retail stores. An asterisk marks the original date of passage of an ordinance that has since been amended.
- **Chart II, Smoking Ordinances: Workplace Provisions**, is a matrix of the workplace provisions of smoking ordinances. It lists whether smoking is limited in meeting rooms, whether nonsmokers are entitled to designate their own work areas as no-smoking areas, whether nonsmokers are given a preference in disputes over smoking policy, whether retaliation against employees who assert rights under the ordinance is prohibited, whether smoking is limited in common work areas, and whether smoking is completely eliminated.
- **Chart III, Smoking Ordinances: Other Provisions**, lists miscellaneous other provisions of smoking ordinances. This includes whether smoking is limited in food markets, health facilities, public transportation, enclosed public places, and schools. Chart III also lists the enforcement agency or mechanism specified in the ordinance.
- **Chart IV, Access to Minors: Vending Machine Ordinances**, lists the provisions of local ordinances that limit cigarette vending machines.

- **Chart V, Access to Minors: Sampling and Licensing Ordinances**, lists the provisions of ordinances limiting the free sampling of tobacco products and/or requiring licensing of tobacco retailers.



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# Background

## **ENVIRON- MENTAL TOBACCO SMOKE**

There is no longer any doubt that exposure to environmental tobacco smoke (ETS) is a cause of death and disease among nonsmokers. Indeed, any genuine controversy on the issue ended in 1986, with the publication of the Surgeon General's report on the health consequences of involuntary smoking (US DHHS, 1986a). The report concluded the following:

1. Involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers.
2. The children of parents who smoke compared with the children of nonsmoking parents have an increased frequency of respiratory infections, increased respiratory symptoms, and slightly smaller rates of increase in lung function as the lung matures.
3. The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke.

These findings were echoed by other reports from the National Academy of Sciences and other national and international scientific bodies (NAS, 1986b). These reports contributed to a surge in efforts to protect nonsmokers from the health effects of ETS through legislative and policy changes (Pertschuk and Shopland, 1989). By far the most significant trend was the passage of local smoking ordinances, which had been enacted at a steady pace since the late 1970's. By the time the predecessor to this publication, *Major Local Smoking Ordinances in the United States*, was published in the fall of 1989, 397 ordinances limiting smoking in workplaces, restaurants, or other places had been enacted (Pertschuk and Shopland, 1989).

Scientific knowledge of the health risks associated with ETS has increased dramatically during the past several years. Prior to 1981, however, there was no direct evidence that demonstrated a link between ETS exposure and chronic disease in adults at levels commonly experienced by nonsmokers, although a number of previous reports in the series issued by the Surgeon General had established a direct association between ETS and respiratory problems in infants and young children.

In 1982, when Dr. C. Everett Koop issued his first report as U.S. Surgeon General (US DHHS, 1982), an assessment of the then available scientific evidence on ETS was included. The report cited three independent epidemiologic studies on lung cancer in nonsmoking wives who lived with smoking husbands. Each study observed an increased risk for lung cancers and two demonstrated an increased risk with increased levels of smoking by the husband. While the report did not find the evidence sufficiently compelling to conclude that a causal connection existed, it warned that involuntary smoking could indeed pose a carcinogenic risk to the nonsmoker and that individuals should avoid exposure to ambient tobacco smoke to the greatest extent possible.

Between 1981 and 1986, when Dr. Koop issued his seminal report, *The Health Consequences of Involuntary Smoking*, 13 studies on ETS and lung cancer had been added to the scientific literature base. Other studies examining ETS and other chronic diseases existed, including several that supported a link between ETS and coronary heart disease.

With the growing recognition that tobacco smoke poses a significant health threat to individuals other than the smoker, the Congress as well as Federal health and regulatory agencies were increasingly being asked to take action to protect the public. The General Services Administration issued new rules for protecting workers and visitors to all Federal buildings, and in 1988 Congress banned smoking on all domestic airline flights of 6 hours or less duration, resulting in virtually smokefree air travel for all but less than 1 percent of all flights in the United States.

**1992 Report of  
The U.S. Environmental Protection Agency**

Lung Cancer

One of the more significant actions by a Federal agency occurred in 1990, when the U.S. Environmental Protection Agency (EPA) began a formal risk assessment to determine whether ETS meets the Carcinogen Risk Assessment guidelines for classifying a compound carcinogenic. By the time EPA issued its draft report, *Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders*, in May 1992, findings from 26 case-control and 4 prospective cohort studies from 8 different countries comprised the available scientific evidence on ETS and lung cancer; all 4 cohort studies and 20 of the 26 case-control studies showed an elevated risk for lung cancer in never-smokers exposed to ETS (US EPA, 1992).

Many of these also showed a dose-response effect; that is, the greater the level of exposure, the greater the lung cancer risk. The overwhelming weight of the evidence permitted EPA to conclude that ETS belongs in the category of compounds

classified as Group A (known human) carcinogens, a category reserved for only the most toxic of compounds regulated by EPA, such as radon, asbestos, and benzene (US EPA, 1992).

### ETS and Children

In addition to lung cancer, the EPA report examined the issue of ETS and respiratory diseases and disorders in children and concluded that ETS exposure was causally associated with (1) increased prevalence of respiratory symptoms such as cough, sputum, and wheezing; (2) increased prevalence of middle-ear effusion; and (3) a small but statistically significant reduction in lung function (US EPA, 1992).

The report further estimates that ETS contributes 150,000 to 300,000 lower respiratory infections annually in infants less than 18 months of age, resulting in between 7,000 and 15,000 hospitalizations annually. Of equal importance, EPA estimates that ETS is causally related to additional episodes and increased severity of preexisting asthma in children and exacerbates symptoms in approximately 20 percent of the estimated 2 million to 5 million asthmatic children annually. The EPA report leaves open the question of whether ETS is directly related to asthma in children who have not previously exhibited the disease, terming the evidence "suggestive but not conclusive" (US EPA, 1992). Nonetheless, the ETS from parents who smoke half a pack or more daily may contribute up to 26,000 new cases of asthma annually.

### ETS and Coronary Heart Disease

In early 1991, researchers at the University of California, San Francisco, published the first detailed analysis of the evidence linking ETS and coronary heart disease (CHD) (Glantz and Parmley, 1991). The study estimated that secondhand smoke kills 53,000 nonsmokers in the United States each year from cancer, heart disease, and lung disease, making it the third leading cause of preventable mortality, ranking behind active smoking and alcohol use. After an examination of 13 epidemiological studies, the investigators concluded that ETS was causally associated with CHD in nonsmokers and that such exposure may be responsible for 10 times more deaths annually than those attributable to ETS and lung cancer.

Finally, in June 1991, the National Institute for Occupational Safety and Health (NIOSH) joined the growing number of scientific and regulatory agencies to publish on the subject of secondhand smoke as an occupational carcinogen (NIOSH, 1991). NIOSH recommended eliminating smoking in all workplaces. The only alternative, according to NIOSH, is restricting smoking to completely separated smoking lounges with independent ventilation systems exhausting secondhand smoke outside.

## **LOCAL SMOKING ORDINANCES**

Serious proposals for local ordinances restricting smoking to protect nonsmokers first appeared in the early 1970's. Activity began simultaneously in several states, including Florida, Maryland, Colorado, Minnesota, California, and Massachusetts. In 1977, Berkeley, California, enacted the first modern ordinance limiting smoking in restaurants and other public places. Similar ordinances continued to pass during the late 1970's and early 1980's. The 1986 Surgeon General's report on the health consequences of involuntary smoking greatly accelerated the passage of such ordinances. By 1988, nearly 400 ordinances to restrict smoking had been enacted throughout the United States (Pertschuk and Shopland, 1989).

Such ordinances typically restricted smoking in workplaces, restaurants, and other public places. Smoking was completely eliminated in most enclosed public places such as banks, theaters, laundromats, and retail stores. Many ordinances prohibited smoking in all enclosed places open to the general public.

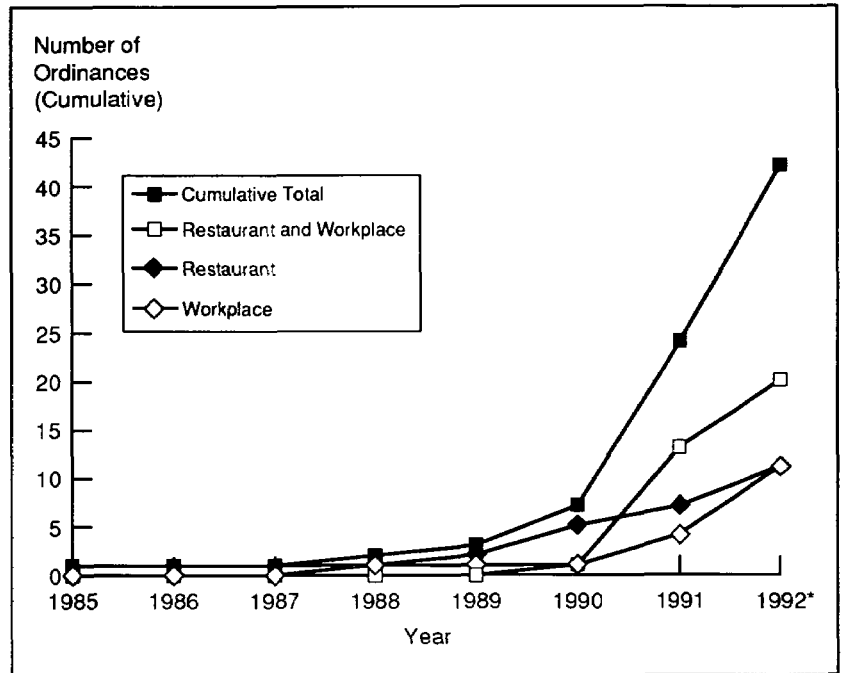
Restaurants were usually treated differently. Most ordinances required restaurants to set aside a minimum nonsmoking area, generally 40 or 50 percent of the restaurant's seating capacity. In some ordinances, smaller restaurants were exempted from the law.

In workplaces, employers were required to develop a written smoking policy providing basic protections for nonsmoking employees. Smoking was normally eliminated in certain common areas, such as restrooms, hallways, and conference rooms. Nonsmokers were often given the right to designate their own work area as a no-smoking area. In many ordinances, nonsmokers were granted a preference in any dispute over smoking and nonsmoking sections (Pertschuk and Shopland, 1989).

## **The Trend Toward Smokefree Ordinances**

When the Environmental Protection Agency initially made public the conclusions of its draft Risk Assessment on Environmental Tobacco Smoke in 1990, communities began to consider secondhand smoke as far more dangerous to the public health than previously realized. In 1990, Lodi, California, started a trend by adopting an ordinance completely eliminating smoking in restaurants. Other cities and counties followed. Aspen, Colorado, passed the first 100-percent smokefree restaurant ordinance in 1986. However, it was not until the release of the EPA draft risk assessment, and subsequent passage of Lodi's ordinance, that the passage of such laws found favor widely (Figure 1). Many communities followed, including Sacramento, California, which extended the total ban to workplaces as well as restaurants.

Figure 1  
**100-percent smokefree ordinances, by year enacted**



\*Through September 1992.

By the middle of 1992, the passage of smokefree ordinances had begun to accelerate significantly (Figure 1). Although the majority of the ordinances have passed in California, several have been proposed or passed in other states, including Massachusetts, Wisconsin, and Washington.

Even cities in tobacco-producing states have begun to pass ordinances restricting smoking. Voters in Greensboro, North Carolina, twice upheld their smoking ordinance, the second time by a three-to-one margin.

**Tobacco Industry Response**

Not surprisingly, the tobacco industry has fought aggressively against local smoking ordinances (Samuels and Glantz, 1990). The industry recognizes that nonsmokers' rights ordinances reduce the social acceptability of smoking, helping smokers to quit and leading to a reduction in the number of children who begin smoking (Roper, 1978). The tobacco industry recognized the profound impact of smoking ordinances much earlier than the health establishment did. In 1978, a secret public opinion survey conducted on behalf of the Tobacco Institute concluded the following: "What the smoker does to himself may be his

business, but what the smoker does to the nonsmoker is quite a different matter . . . . This [the nonsmokers' rights movement] we see as the most dangerous development to the viability of the tobacco industry that has yet occurred" (Roper, 1978).

The tobacco industry's strategies on local ordinances range from legal challenges to various political attacks (Samuels and Glantz, 1991). Although the industry continues to suggest that smoking ordinances are unconstitutional, State and Federal courts have consistently upheld the right of cities and counties to protect the public health by limiting public smoking. In 1992, the 100-percent smokefree restaurant ordinance in Lodi, California, was upheld by a State appeals court, which found that the ordinance was reasonable and that there is "no constitutional 'right' to engage in smoking" (*California v. Smith*, 1992).

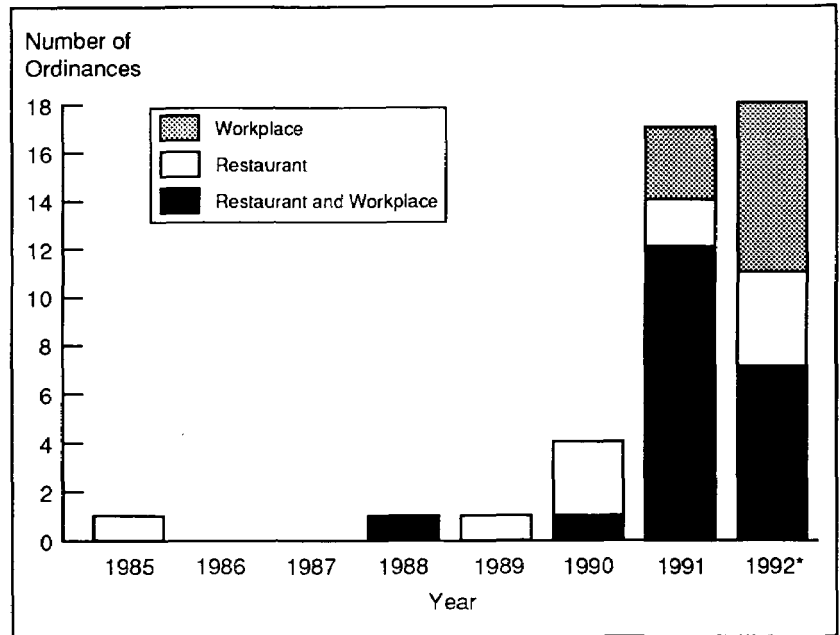
Because of the success of local ordinances, the tobacco industry has sought the enactment of preemptive State laws on tobacco issues (Pertschuk and Shopland, 1989). This includes laws addressing both clean indoor air and access by minors, such as limitations on tobacco vending machines. State proposals preempting local smoking restrictions have, for the most part, been defeated, but they have passed in Florida, Pennsylvania, Virginia, Nevada, Illinois, Oklahoma, and New Jersey. All except Florida allow preexisting local ordinances to remain in effect but eliminate the power of local governments to adopt future ordinances.

### **Economic Impact Of Smokefree Ordinances**

During the 1990's, there has been a significant trend toward the passage of 100-percent smokefree ordinances, those that eliminate smoking completely in restaurants and workplaces, rather than the partial bans typical of the 1980's (Figure 2). The economic impact of smokefree restaurant ordinances has been a subject of debate. To date, all credible, scientific studies have found *no evidence of negative economic impact of smokefree ordinances on restaurants.*

In the most comprehensive study available, researchers at the University of California, San Francisco, analyzed sales data from the State Board of Equalization for four California cities with 100-percent smokefree ordinances (UCSF, 1992). Their analysis found that a smokefree restaurant ordinance had no negative impact on total restaurant sales in the four study cities. In addition, the research indicated that there may be a competitive advantage for smokefree restaurants relative to other businesses. The presence of a smokefree restaurant ordinance was associated with a small but statistically significant increase in the fraction of total retail sales that went to restaurants.

Figure 2  
100-percent smokefree ordinances, by year of passage



\*Through September 1992.

Individual studies also have been conducted in several cities with smokefree restaurant ordinances: the cities of Bellflower and San Luis Obispo, California, and Aspen, Colorado (unpublished studies, Bellflower and San Luis Obispo, California; unpublished study, Aspen Resort Association). Their findings are consistent with the UCSF study, showing either no negative impact on business or a positive economic impact.

*Findings:* There are 543 city and county smoking ordinances listed in this publication, covering a total population of 66,797,055.

A total of 413 cities and counties limit smoking in workplaces. The ordinances range from simple requirements for written smoking policies to the total elimination of smoking in the workplace (see Chart II).

A total of 505 cities and counties limit smoking in restaurants. These range from laws that merely require restaurants to set aside a nonsmoking section of unspecified size, to a growing number of ordinances that completely eliminate smoking in restaurants (see Chart I).

There are 419 local ordinances that limit smoking in retail stores (see Chart I).

A trend was found in the strength of smoking ordinances passed since the late 1970's. In general, the adoption of stronger ordinances has increased over time. For example, in 1984, there were no local ordinances completely eliminating smoking in restaurants or workplaces. By 1987, only one ordinance banned smoking in restaurants, while none did so in workplaces. In contrast, by September 1992 there had been 11 ordinances adopted that completely eliminated smoking in restaurants, 11 in workplaces, and 20 in both (Figure 1).

## **YOUTH ACCESS TO TOBACCO PRODUCTS**

### **Cigarettes**

More than 90 percent of current smokers began smoking as children or adolescents (US DHHS, 1988). Each day in the United States, another 3,000 children begin smoking, and of these, more than 750 will die prematurely because of smoking (US DHHS, 1989). Contrary to popular belief, the problem of tobacco use by children is not improving. Although smoking rates among high school seniors decreased 9 percent from 1977 to 1981, in the following 10 years, the daily smoking rate dropped only another 2 percent (Johnston et al., 1989). Of special concern are smoking rates among girls, which have increased over the past decade. This trend is in sharp contrast with the decline in most other drug use, including alcohol, over the same period.

The earlier a child begins to use tobacco, the less likely that he or she will be able to quit, and children are beginning to smoke at younger ages (Johnston et al., 1989). Young smokers often underestimate the harmful effects of their tobacco use and do not recognize that they quickly move from experimentation to addiction. In a National Institute on Drug Abuse study, 95 percent of daily smokers in high school predicted they would not be smoking 5 years after school, yet 75 percent were still smoking in followup studies 7 to 9 years later (Johnston et al., 1987).

### **Smokeless Tobacco**

An increasingly severe problem is the use of smokeless tobacco (i.e., moist snuff and chewing tobacco), especially among male adolescents and young adults. By 1990, almost one in five male high school students in the United States reported recent smokeless tobacco use (CDC, 1991). Local surveys typically reveal that 40 to 60 percent of young males have tried smokeless tobacco (Boyd et al., 1987). The prevalence of use varies greatly by region, with the highest rate found in the South and the lowest in the Northeast (Marcus et al., 1989). First experimentation often occurs between ages 10 and 12 (Boyd and Glover, 1989). Use of smokeless tobacco can lead to nicotine addiction, and habitual users who attempt to quit experience many of the same symptoms and problems that cigarette smokers have.



The health risks of smokeless tobacco use include oral cancer as well as various other diseases of the mouth, gums, and throat (US DHHS, 1992).

Forty-nine States and the District of Columbia have laws that make it illegal for retailers to sell tobacco products to minors (usually defined as children under the age of 18) (see Appendix B). Despite these laws, children generally have easy access to tobacco products. Studies have shown consistently high rates of sales to children: Retailers sell to underage youth in field trials 70 to 100 percent of the time, over the counter and through vending machines (Altman et al., 1989).

In response to the problem, there has been a dramatic rise in the adoption of local ordinances to reduce minors' easy access to tobacco. The most common of these ordinances ban or limit the placement of cigarette vending machines (Figure 3). Other provisions include bans on the distribution of free tobacco products and licensing of tobacco retailers.

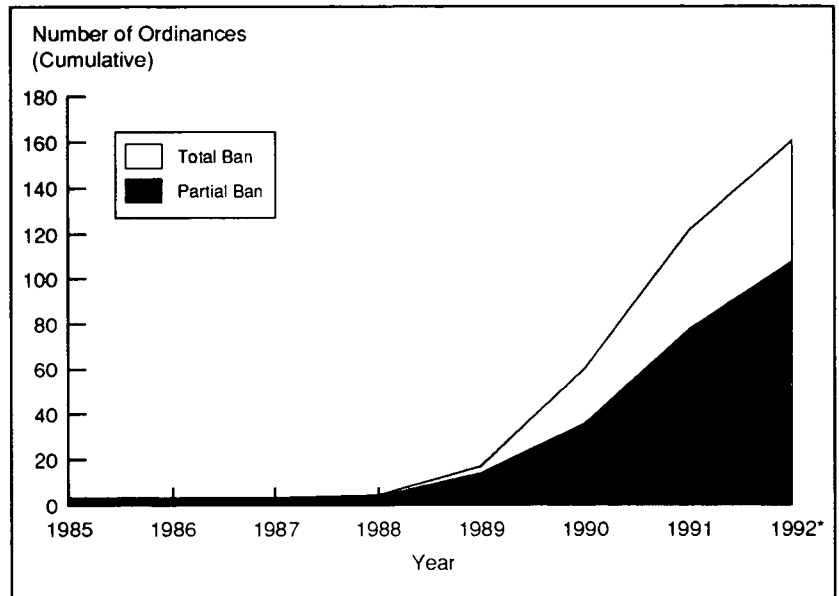
Studies on interventions to reduce youth access to tobacco show that the major predictor for success is active, local enforcement of laws prohibiting the sale of tobacco to minors (Altman et al., 1989; Jason et al., 1991). Civil penalties are preferable to criminal penalties, as youth access to tobacco is often a low priority for police and the court system (Feighery et al., 1991). Civil offenses are generally handled administratively, and many local jurisdictions designate the health department or the city manager as the enforcement agency. Rather than being found guilty by a court of law, an offender may pay a fine or lose his or her license to sell tobacco products.

### **Tobacco Vending Machine Ordinances**

Former Secretary of Health and Human Services Louis Sullivan and former Surgeon General C. Everett Koop both called for a total ban on tobacco vending machines. Although vending machines account for a relatively small percentage of total tobacco sales, they account for 16 percent of sales to minors (Office of the Inspector General, 1990). Those sales are frequently to the youngest customers (US DHHS, 1989). Young children, often too intimidated to attempt over-the-counter purchases, have no such barrier when facing a vending machine. In fact, studies have found that children can purchase cigarettes through vending machines in 90 to 100 percent of their attempts (Contra Costa County HSD, 1991).

*Findings:* To date, 161 cities and counties have passed ordinances that partially or completely ban tobacco vending machines (see Chart IV). They are joined by the States of Hawaii, Nebraska, New York, and Utah.

Figure 3  
Tobacco vending machine ordinances



\*Through September 1992.

A significant number of vending machine ordinances are partial bans that permit the placement of machines in bars and other facilities from which minors are excluded by law (Figure 3). The effectiveness of a partial ban is limited: According to one study, minors succeed in buying tobacco 77 percent of the time from vending machines placed where minors are prohibited (Forster et al., 1992b). Several jurisdictions with partial bans have included a requirement that vending machines be placed a prescribed distance from the entrance to an exempted area, to avoid placement in unattended lobbies and entries.

A smaller number of ordinances require simply that cigarette vending machines be equipped with electronic locking devices designed to be operated by an attendant. Such devices have proven ineffective against sales to minors, primarily because they are often left on by retail stores and remain unmonitored (Forster et al., 1992a). The State of Utah and the City of Seattle, Washington, both passed legislation requiring locking devices, only to find them ineffective. Surveys found that some operators never installed the devices, while others disabled them, left them on continuously, or activated them without verifying the purchaser's age. Utah and Seattle went on to ban vending machines except in bars.

**Tobacco  
Sampling  
Bans**

Both cigarette and chewing tobacco manufacturers distribute free product samples as part of their advertising and promotional activities. Typically, distribution of free samples is conducted in locations where young people congregate: music concerts, county fairs, athletic events, and motor sports races (Davis and Jason, 1988).

Although most States prohibit the distribution of free samples to underage youth, there is significant evidence that such laws are poorly enforced (Davis and Jason, 1988). A survey of elementary and high school students found that 20 percent of high school students and 4 percent of elementary students reported receiving free samples, and approximately half of elementary and high school students reported having seen children and adolescents receive free samples (Davis and Jason, 1988). At one county fair, adults videotaped a distribution booth on the fairgrounds at which samples were given to 9 out of 13 children (aged 14 to 16) who asked for them.

*Findings:* Sixty-eight cities and counties have passed ordinances prohibiting the distribution of free tobacco product samples or coupons for free samples (see Chart V). These ordinances typically eliminate free sampling completely or, at minimum, do so on public property, such as sidewalks and fairgrounds.

**Licensing  
Tobacco  
Retailers**

Requiring a license to sell tobacco provides localities with a mechanism to enforce merchants' compliance with laws prohibiting tobacco sales to minors. Merchants more carefully monitor tobacco sales to minors when such sales jeopardize their license to sell tobacco to adults. Only those ordinances that actually provide a mechanism for revoking or suspending a tobacco license for selling to minors are included in this document.

One city, Woodridge, Illinois, has carefully monitored its licensing ordinance and has found it extremely effective in reducing tobacco sales to minors, particularly over-the-counter sales. Not only have the sales rates to children fallen since passage of the ordinance, but a survey of seventh- and eighth-grade students found a 50-percent decrease (from 46 percent to 23 percent) in experimentation with cigarettes and a 69-percent decrease (from 16 percent to 5 percent) in the number of regular smokers (Jason et al., 1991).

*Findings:* Thirty-three local jurisdictions have enacted licensing ordinances (see Chart V).

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# Chart I

## Smoking Ordinances: Summary of Provisions

Chart I is a quick reference to the major provisions of local smoking ordinances in the United States. It lists significant city and county smoking ordinances with the population, date of enactment, and whether the law limits smoking in the workplace, restaurants, and retail stores. There are 543 smoking ordinances included herein.

**Date Enacted:** The date column shows when a given smoking ordinance was adopted (normally by a city council or county board of supervisors). In the case of ordinances that have been strengthened, the date is that of the first adoption. Those ordinances that have been amended are indicated by an asterisk next to the date.

**Population:** The population column contains the population of a listed city or county. County smoking ordinances cover the *unincorporated* area of the county. This means the population is for the area that is *not* part of an incorporated city in the county. The figure for a given county represents the population of the unincorporated area. The 543 city and county smoking ordinances listed herein cover a total population of 66,797,055.

**Workplaces:** The workplace column indicates whether an ordinance restricts smoking in places of work. "Public" indicates that only government offices are covered. "Private" indicates that only private employers are covered. "All" means both are covered.

**Restaurants:** The restaurant column indicates whether restaurants are covered by an ordinance. Minimum size for no-smoking sections is indicated in the first column, and any exemption for small restaurants is indicated in the second.

**Retail Stores:** The last column indicates whether retail stores are expressly covered by a particular ordinance.

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# Smoking Ordinances: Summary of Provisions

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>ALABAMA</b>						
Auburn	1992	34	All	0%	No	Yes
Birmingham	1987	266	All	0%	No	Yes
Dothan	1992	54	All	50%	No	Yes
Eufaula	1990	13	None	0%	50	Yes
Huntsville	1989	160	All	0%	No	Yes
Jackson	1991	6	All	0%	19	Yes
Madison	1990	15	All	25%	19	Yes
Mobile	1988	196	All	20%	19	Yes
Montgomery	1989	187	All	0%	No	Yes
Prattville	1991	20	All	0%	19	Yes
Tuscaloosa	1990	78	Public	—	—	No
<b>ARIZONA</b>						
Chandler	1987	91	All	0%	No	Yes
Flagstaff	1989	46	All	0%	No	Yes
Gilbert	1988	29	All	50%	No	Yes
Glendale	1987	148	All	0%	No	Yes
Kingman	1988	13	All	—	—	No
Maricopa County	1988	169	All	40%	No	Yes
Mesa	1986	288	All	0%	No	Yes
Paradise Valley	1987	12	None	25%	No	Yes
Peoria	1991	51	All	0%	No	Yes
Phoenix	1986	983	All	0%	No	Yes
Pima County	1987*	248	All	—	—	Yes
Prescott	1986	26	All	0%	No	Yes
Scottsdale	1986	130	All	0%	No	Yes

<sup>1</sup> Original date ordinance enacted; asterisk indicates there has been an amendment.

<sup>2</sup> Restaurants that seat this number or fewer are exempt; "—" means there is no restaurant provision.

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>ARIZONA</b>						
Tempe	1987	142	All	50%	No	Yes
Tucson	1983*	405	All	—	—	Yes
Yuma	1987	55	All	0%	100	Yes
<b>ARKANSAS</b>						
Little Rock <sup>3</sup>	1987	176	None	—	—	No
McGehee	1987	5	All	—	—	Yes
<b>CALIFORNIA</b>						
Agoura Hills	1991	20	All	50%	50	Yes
Alameda	1987	76	All	50%	50	Yes
Alameda County	1986	120	All	40%	50	Yes
Albany	1986*	16	All	100%	No	Yes
Alhambra	1989	82	All	50%	No	Yes
Alpine County	1988	1	All	50%	No	Yes
Anaheim	1986	266	All	0%	50	No
Antioch	1985	62	All	40%	50	Yes
Apple Valley	1991	46	None	60%	No	Yes
Arcata	1985	15	All	50%	50	Yes
Atascadero	1991	23	None	0%	49	No
Auburn	1991	11	All	100%	No	Yes
Belmont	1988	24	All	0%	49	Yes
Benicia	1987	24	All	50%	50	Yes
Berkeley	1977*	103	All	50%	No	Yes
Beverly Hills	1987*	32	None	60%	No	Yes
Big Bear Lake	1987	5	Public	—	—	No
Blue Lake	1987	1	All	25%	No	Yes
Brea	1986	33	All	25%	50	No
Brentwood	1985	8	All	40%	50	Yes
Burbank <sup>3</sup>	1987	94	None	—	—	No
Burlingame	1987	27	All	0%	50	Yes
Butte County	1987	100	All	10%	20	Yes

<sup>1</sup> Original date ordinance enacted; asterisk indicates there has been an amendment.

<sup>2</sup> Restaurants that seat this number or fewer are exempt; "—" means there is no restaurant provision.

<sup>3</sup> Though major provisions not covered, this ordinance covers provisions listed in Chart III.

Chart I

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Camarillo	1988	52	All	50%	No	Yes
Campbell	1988*	36	All	50%	49	Yes
Carlsbad	1983	63	All	0%	20	Yes
Carpinteria	1985	14	All	—	—	No
Cathedral City <sup>3</sup>	1982	30	None	—	—	No
Chico	1986	40	All	10%	20	Yes
Chula Vista	1984	135	All	0%	20	Yes
Clayton	1985*	7	All	75%	No	Yes
Cloverdale	1989	5	All	50%	49	Yes
Coachella	1988	17	All	25%	49	Yes
Colfax	1991	1	All	100%	No	Yes
Concord	1985	111	All	40%	50	Yes
Contra Costa County	1985*	155	All	100%	No	Yes
Coronado	1984	27	All	0%	20	Yes
Corte Madera	1981	8	None	0%	19	Yes
Cotati	1989	6	All	50%	No	Yes
Culver City	1987	39	All	66%	25	Yes
Cupertino	1985	40	All	30%	50	Yes
Cypress	1987	43	All	25%	49	Yes
Danville	1985	31	All	40%	50	Yes
Davis	1987	46	All	50%	50	Yes
Del Mar	1983	5	All	0%	20	Yes
Del Norte County	1988	19	Public	—	—	No
Desert Hot Springs	1986	12	All	25%	50	Yes
Dixon	1986	10	All	50%	50	Yes
Downey	1989	91	All	50%	50	Yes
Duarte	1989	21	All	50%	49	No
Dublin	1986	23	All	50%	No	Yes
El Cajon	1985*	89	All	0%	19	Yes
El Cerrito	1985*	23	All	100%	No	Yes
El Dorado County	1991	102	All	100%	No	Yes

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<sup>3</sup> Though major provisions not covered, this ordinance covers provisions listed in Chart III.

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
El Segundo	1989	15	All	50%	40	Yes
Emeryville	1987	6	All	50%	24	Yes
Escondido	1983*	109	All	50%	19	Yes
Eureka	1985	27	All	25%	No	Yes
Fairfield	1987	77	All	50%	49	Yes
Fontana	1986	88	All	50%	40	Yes
Fortuna	1988	9	All	25%	No	Yes
Fremont	1986	173	All	40%	No	Yes
Fresno	1987	354	All	50%	No	Yes
Garden Grove	1990	143	All	25%	50	No
Gardena <sup>3</sup>	1977	50	None	—	—	No
Gilroy	1986	31	All	50%	49	No
Grand Terrace	1985	11	All	25%	50	Yes
Grass Valley	1990	9	All	100%	No	Yes
Gridley	1986*	5	All	50%	49	Yes
Hayward	1988	111	All	50%	49	Yes
Healdsburg	1988	9	All	50%	49	Yes
Hemet	1986	36	All	0%	50	Yes
Hercules	1985*	17	All	100%	No	Yes
Hesperia	1992	50	Public	60%	No	Yes
Hollister	1987	19	All	30%	25	No
Huntington Beach	1986	182	All	25%	50	No
Imperial Beach	1985	27	All	0%	20	Yes
Indian Wells	1990	3	All	77%	No	Yes
Indio	1985	37	All	50%	50	Yes
Irvine	1986	110	All	25%	40	No
La Canada Flintridge	1990	19	All	50%	No	Yes
La Mesa	1984	53	All	0%	40	Yes
La Mirada <sup>3</sup>	1977*	40	None	—	—	No
La Quinta	1992	11	All	75%	No	Yes
Lafayette	1985*	24	All	40%	49	Yes

<sup>1</sup> Original date ordinance enacted; asterisk indicates there has been an amendment.

<sup>2</sup> Restaurants that seat this number or fewer are exempt; "—" means there is no restaurant provision.

<sup>3</sup> Though major provisions not covered, this ordinance covers provisions listed in Chart III.

Chart I

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Laguna Beach	1985*	23	All	100%	No	No
Laguna Niguel	1989	44	All	20%	49	Yes
Lakewood	1988	74	Public	0%	No	Yes
Lancaster	1988	97	All	50%	50	Yes
Larkspur	1992	11	All	—	—	Yes
Lathrop	1991	7	All	100%	No	Yes
Lemon Grove	1987	24	None	0%	49	Yes
Live Oak	1986	4	All	50%	50	Yes
Livermore	1985	57	All	50%	No	Yes
Livingston	1987	7	All	50%	No	Yes
Lodi	1990	52	All	100%	No	Yes
Loma Linda	1986	17	All	50%	40	Yes
Lompoc	1990	38	All	25%	19	Yes
Long Beach	1985*	429	All	67%	No	No
Los Alamitos	1989	12	Public	40%	49	Yes
Los Altos	1979	26	All	25%	50	Yes
Los Angeles	1984*	3,485	All	50%	50	Yes
Los Angeles County	1987*	954	Public	0%	No	No
Los Gatos	1980*	27	All	100%	No	Yes
Manhattan Beach	1987	32	All	0%	20	No
Marin County	1981	67	None	0%	19	No
Martinez	1985*	32	All	100%	No	Yes
Marysville	1986	12	All	50%	49	Yes
Menlo Park	1986	28	All	60%	49	No
Merced	1987	56	All	50%	No	Yes
Mill Valley	1982	13	None	0%	20	No
Millbrae	1988	20	All	50%	19	Yes
Milpitas	1985	51	All	50%	No	Yes
Mission Viejo	1988	73	All	20%	49	Yes
Modesto	1987	165	All	50%	No	Yes

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<sup>2</sup> Restaurants that seat this number or fewer are exempt; "—" means there is no restaurant provision.

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Monterey	1987	32	All	0%	No	Yes
Monterey County	1987	103	All	50%	40	Yes
Moorpark	1988	25	All	50%	No	Yes
Moraga	1986	16	All	40%	50	Yes
Moreno Valley	1990	119	All	50%	49	Yes
Morgan Hill	1985	24	All	0%	No	Yes
Morro Bay	1986	10	All	50%	29	No
Mountain View	1984	67	All	50%	No	Yes
Napa	1978	62	None	30%	49	No
National City	1984	54	All	0%	40	Yes
Nevada County	1991	71	All	100%	No	Yes
Newark	1988	38	All	40%	49	Yes
Newport Beach	1985	67	All	25%	50	No
Novato	1992	48	All	100%	No	Yes
Oakdale	1987	12	All	50%	No	Yes
Oakland	1986*	372	All	100%	29	Yes
Oceanside	1983	128	All	0%	20	Yes
Ojai	1987	8	Public	50%	20	No
Ontario	1987	133	All	25%	50	No
Orange County	1985*	196	All	20%	49	Yes
Orinda	1985*	17	All	80%	No	Yes
Oroville	1987	12	All	10%	20	Yes
Oxnard	1988	142	All	50%	15	Yes
Pacific Grove	1987	16	None	0%	No	Yes
Palm Desert	1986	23	All	25%	50	Yes
Palm Springs	1986	40	All	25%	50	Yes
Palmdale	1988	69	All	50%	49	Yes
Palo Alto	1983*	56	All	100%	No	Yes
Paradise	1986*	25	All	100%	No	Yes
Pasadena	1984	132	All	25%	50	No
Petaluma	1987	43	All	50%	No	Yes

<sup>1</sup> Original date ordinance enacted; asterisk indicates there has been an amendment.

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Chart 1

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Piedmont	1988	11	All	50%	19	Yes
Pinole	1985*	17	All	60%	49	Yes
Pittsburg	1985	48	All	40%	50	Yes
Placer County	1991	87	All	80%	No	Yes
Placerville	1991	8	All	50%	No	Yes
Pleasant Hill	1986	32	All	40%	50	Yes
Pleasanton	1986	51	All	40%	50	Yes
Port Hueneme	1989	20	All	50%	No	Yes
Poway	1983	44	All	0%	20	Yes
Rancho Cucamonga	1988	101	None	40%	No	Yes
Rancho Mirage	1987	10	All	66%	No	Yes
Redlands	1987	60	All	50%	40	Yes
Redwood City	1988	66	All	50%	No	Yes
Rialto	1990	72	All	—	—	No
Richmond	1985	87	All	40%	50	Yes
Riverside	1985	227	All	25%	50	Yes
Riverside County	1985	355	All	25%	50	Yes
Rohnert Park	1989	36	All	50%	No	Yes
Roseville	1991	45	All	100%	No	Yes
Ross	1989	2	None	100%	No	Yes
Sacramento	1985*	369	All	100%	No	Yes
Sacramento County	1985*	641	All	100%	No	Yes
Salinas	1987	109	All	50%	40	Yes
San Bernardino	1988	164	All	0%	29	Yes
San Bernardino County	1987	367	All	0%	29	Yes
San Bruno	1987	39	All	50%	49	Yes
San Buenaventura	1987	93	All	50%	No	Yes
San Carlos	1988	26	All	50%	No	Yes
San Clemente	1987	41	All	50%	No	No
San Diego	1982*	1,111	All	50%	No	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
San Diego County	1982*	415	All	50%	No	Yes
San Francisco	1983*	724	All	0%	No	Yes
San Jose	1984	782	All	30%	100	Yes
San Juan Capistrano	1991	26	All	75%	49	Yes
San Leandro	1988	68	All	40%	49	Yes
San Luis Obispo	1985*	42	All	100%	No	Yes
San Marcos	1983	39	All	0%	19	Yes
San Mateo	1986	85	All	50%	50	Yes
San Mateo County	1990*	57	All	75%	No	Yes
San Pablo	1985	25	All	40%	50	Yes
San Rafael	1979	48	None	20%	20	No
San Ramon	1985	35	All	40%	50	Yes
Santa Barbara	1984	86	All	25%	20	No
Santa Barbara County	1987	162	All	50%	29	Yes
Santa Clara	1985	94	All	30%	50	Yes
Santa Clara County	1985	105	All	33%	No	Yes
Santa Cruz	1985	49	All	0%	No	Yes
Santa Cruz County	1985	134	All	0%	No	Yes
Santa Maria	1988	61	All	50%	No	Yes
Santa Monica	1985*	87	All	60%	No	No
Santa Rosa	1988	113	All	50%	No	Yes
Santee	1983	53	All	0%	20	Yes
Saratoga	1987	28	All	67%	49	Yes
Scotts Valley	1985	9	All	0%	No	Yes
Seaside	1992	39	All	25%	49	Yes
Sebastopol	1988	7	All	50%	44	Yes
Shasta County	1986	76	All	0%	No	Yes
Simi Valley	1987	100	None	50%	No	Yes
Solana Beach	1986*	13	All	100%	No	Yes
Solano County	1987*	20	All	75%	No	Yes
Solvang	1988	5	All	50%	9	Yes

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Chart I

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Sonoma	1988	8	All	50%	No	Yes
Sonoma County	1988	160	All	50%	No	Yes
South Lake Tahoe	1992	22	All	50%	No	Yes
South Pasadena	1988	24	None	50%	29	No
South San Francisco	1987	54	All	0%	50	Yes
Stanislaus County	1987	101	All	50%	No	No
Stockton	1988	211	All	70%	No	Yes
Sunnyvale	1986	117	All	60%	50	Yes
Sutter County	1986	34	All	50%	49	Yes
Temecula	1985	27	All	25%	49	No
Thousand Oaks	1987	104	All	50%	39	Yes
Tiburon	1989	8	All	50%	50	Yes
Torrance	1987	133	All	50%	50	Yes
Tracy	1987	34	All	70%	No	Yes
Turlock	1987	42	All	50%	No	Yes
Tustin	1985	51	All	0%	20	Yes
Ukiah	1981	15	All	50%	No	Yes
Union City	1988	54	All	40%	49	Yes
Vacaville	1987*	71	All	50%	50	Yes
Vallejo	1987	109	All	50%	50	Yes
Victorville	1988	41	All	50%	39	Yes
Visalia	1992	76	All	100%	No	Yes
Vista	1983	72	All	0%	20	Yes
Walnut	1988*	29	Public	25%	50	No
Walnut Creek	1985*	61	All	100%	No	Yes
Watsonville	1987	31	All	35%	49	Yes
West Hollywood	1986*	36	All	40%	35	Yes
West Sacramento	1991	29	All	50%	No	Yes
Wheatland	1986	2	All	50%	50	Yes
Whittier	1991	78	All	100%	No	Yes
Woodside	1990	5	All	50%	No	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>CALIFORNIA</b>						
Yolo County	1988	22	Public	—	—	No
Yorba Linda	1985	52	All	33%	40	Yes
Yountville	1990	3	All	80%	No	Yes
Yuba City	1986	27	All	50%	50	Yes
<b>COLORADO</b>						
Arapahoe County	1988	112	All	0%	30	Yes
Arvada	1986	89	All	25%	30	Yes
Aspen	1985	5	All	100%	No	Yes
Aurora	1986	222	All	0%	50	Yes
Boulder	1986*	83	Private	0%	30	Yes
Boulder County	1988	44	All	0%	30	Yes
Broomfield	1987	25	All	0%	30	Yes
Canon City	1988	13	All	0%	50	Yes
Carbondale	1987	3	All	—	—	No
Colorado Springs	1987	281	All	0%	50	Yes
Denver	1986	468	All	0%	50	No
Englewood	1986	29	All	0%	30	Yes
Fort Collins	1984	88	All	0%	30	Yes
Glenwood Springs	1988	7	None	50%	30	Yes
Golden	1986	13	All	75%	30	Yes
Grand Junction	1985	29	All	0%	30	Yes
Greeley	1986	61	All	50%	30	Yes
Greenwood Village	1988	8	All	0%	50	Yes
Jefferson County	1987	142	All	0%	30	Yes
Lakewood	1987*	126	All	50%	30	Yes
Littleton	1987	34	All	0%	30	Yes
Longmont	1985	52	All	0%	No	Yes
Louisville	1986	12	None	0%	24	Yes
Loveland	1985	37	All	50%	30	Yes
Parker	1989	5	All	0%	30	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>COLORADO</b>						
Pueblo	1985	99	All	0%	49	Yes
Snowmass Village	1989	1	All	67%	No	Yes
Telluride	1987	1	All	50%	No	Yes
Thornton	1986	55	All	0%	30	Yes
Trinidad	1986	9	All	0%	20	Yes
Vail	1990*	4	All	0%	No	Yes
Weld County	1988	33	Public	—	—	No
Westminster	1986	75	All	0%	30	Yes
Wheat Ridge	1986	29	All	0%	30	Yes
<b>DELAWARE</b>						
Wilmington	1989	72	All	0%	74	Yes
<b>DISTRICT OF COLUMBIA</b>						
Washington	1988*	607	All	25%	49	Yes
<b>GEORGIA</b>						
Augusta	1992	45	None	40%	49	No
Gainesville	1991	18	All	0%	No	Yes
Richmond County	1992	142	None	40%	49	No
Snellville	1992	12	All	50%	49	Yes
<b>HAWAII</b>						
Hawaii County	1986	120	None	0%	39	No
Honolulu	1985	365	None	—	—	Yes
<b>ILLINOIS</b>						
Arlington Heights	1989	75	All	0%	No	Yes
Chicago	1988	2,784	All	—	—	Yes
DeKalb	1988	35	None	50%	19	Yes
Des Plaines	1988	53	All	25%	49	Yes
Downer's Grove	1979	47	None	10%	19	No
Elgin	1989	77	All	50%	39	Yes
Evanston	1988	73	None	20%	39	No
Highland Park	1986	31	None	0%	50	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>ILLINOIS</b>						
Hoffman Estates	1988	47	All	0%	39	No
Oak Park	1989	54	All	25%	39	Yes
Orland Park	1988	36	All	0%	39	No
Park Ridge	1989	36	None	0%	No	No
Rockford	1988	139	All	0%	No	Yes
Skokie	1987	59	All	0%	39	Yes
Wilmette	1988	27	All	0%	No	Yes
<b>INDIANA</b>						
Bloomington	1987	61	None	25%	No	Yes
Fort Wayne	1988	173	None	0%	No	No
<b>KANSAS</b>						
Lawrence	1986	66	All	0%	30	Yes
Overland Park	1984*	112	All	0%	No	Yes
Prairie Village	1986	23	None	—	—	Yes
Topeka	1986	120	All	0%	30	Yes
<b>LOUISIANA</b>						
Lake Charles	1989	71	All	50%	49	Yes
New Orleans	1988	497	All	50%	50	Yes
<b>MARYLAND</b>						
Howard County	1988*	187	All	0%	75	Yes
Montgomery County	1988*	646	All	50%	49	Yes
Prince George's County	1988	530	Public	—	—	No
Rockville	1987	45	None	50%	25	Yes
Takoma Park	1990	17	All	50%	24	Yes
<b>MASSACHUSETTS</b>						
Acton	1982	18	None	25%	24	No
Agawam	1990	27	None	25%	No	No
Amherst	1984	35	None	25%	No	No
Auburn	1986	15	None	50%	No	No
Belmont	1990	25	All	—	—	No

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>MASSACHUSETTS</b>						
Beverly	1984	38	None	25%	No	No
Braintree	1984	34	None	25%	24	No
Brewster	1986*	8	None	50%	No	No
Brookline	1982	55	All	40%	25	Yes
Cambridge	1984*	96	All	25%	No	Yes
Canton	1985	19	None	25%	24	No
Chatham	1986	7	None	25%	74	No
Chelmsford	1986*	32	All	50%	No	Yes
Cohasset	1987	7	None	25%	No	No
Concord	1989	17	All	50%	No	Yes
Danvers	1986	27	None	25%	40	No
Dennis	1985	14	None	0%	49	No
Easthampton	1987	16	None	25%	No	No
Foxborough	1984	15	None	25%	40	No
Framingham	1984	65	None	25%	74	No
Great Barrington	1992	8	All	50%	No	Yes
Holden	1987	15	None	25%	39	No
Holyoke	1987	44	None	50%	25	No
Hudson	1984	17	None	20%	49	No
Hull	1987	10	None	25%	25	No
Lee	1987*	6	All	100%	No	Yes
Lenox	1992	5	All	100%	No	Yes
Leominster	1986*	38	All	50%	24	Yes
Lexington	1983	29	All	25%	50	No
Lynnfield	1984	11	None	25%	100	No
Malden	1985	54	None	15%	49	No
Marblehead	1988	20	None	33%	No	Yes
Marlborough	1987	32	None	30%	25	No
Maynard	1988	10	None	50%	No	No
Medford	1984	57	None	25%	40	No
Millis	1991	8	All	35%	No	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>MASSACHUSETTS</b>						
Natick	1987	31	All	25%	25	Yes
Needham	1983*	28	All	75%	24	Yes
Newton	1984	83	All	15%	50	No
North Attleboro	1992	25	All	75%	24	Yes
Northampton	1984	29	None	25%	No	No
Norwood	1985	29	None	25%	39	No
Plainville	1985	7	None	0%	No	No
Quincy	1988	85	None	25%	40	No
Randolph	1984	30	None	25%	40	No
Reading	1984*	23	None	25%	39	No
Revere	1984	43	None	25%	40	No
Salem	1988	38	None	25%	39	No
Sandwich	1991	15	All	80%	No	Yes
Scituate	1987	17	None	50%	No	No
Somerville	1984*	76	All	35%	No	Yes
Sterling	1987	6	None	40%	49	Yes
Stockbridge	1992	2	All	100%	No	Yes
Stoughton	1983	27	None	25%	39	No
Sudbury	1987	14	All	30%	40	Yes
Swampscott	1984	14	None	25%	No	No
Tewksbury	1987	27	None	50%	No	No
Townsend	1987	8	All	—	—	No
Walpole	1985	20	None	25%	50	No
Watertown	1986*	33	All	80%	No	No
Wellesley	1985*	27	All	25%	39	No
West Springfield	1988*	28	All	75%	49	Yes
Westford	1986	16	None	20%	50	No
Westminster	1985	6	None	0%	24	No
Weymouth	1991	54	None	50%	24	No
Williamstown	1986	8	None	50%	50	No
Winchester	1984	20	None	25%	No	No

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>MASSACHUSETTS</b>						
Winthrop	1987	18	None	25%	25	No
<b>MICHIGAN</b>						
East Lansing	1985	51	All	25%	50	Yes
Marquette	1987	22	All	60%	No	Yes
<b>MISSOURI</b>						
Clayton	1988	14	None	25%	40	Yes
Columbia	1987	69	All	0%	49	Yes
Des Peres	1989	8	None	50%	No	Yes
Independence	1986	112	All	0%	49	Yes
Jefferson	1989	35	All	0%	49	Yes
Kansas City	1986	435	All	0%	50	Yes
Rock Hill	1987	5	None	0%	49	Yes
<b>NEW JERSEY</b>						
Hillsborough Township	1981	29	None	0%	50	No
<b>NEW MEXICO</b>						
Albuquerque	1988	385	All	67%	No	Yes
<b>NEW YORK</b>						
Chautauqua County	1988	62	All	0%	50	Yes
Erie County	1975	509	All	—	—	Yes
Monroe County	1987	439	All	0%	50	Yes
Nassau County	1985*	799	All	75%	No	Yes
New York City	1988	7,323	All	50%	50	Yes
Ontario County	1987	58	All	0%	50	Yes
Rockland County	1988	171	All	0%	25	Yes
Suffolk County	1984	1,201	All	20%	50	No
Westchester County	1985	243	All	—	—	Yes
<b>NORTH CAROLINA</b>						
Chapel Hill	1991*	39	All	25%	29	Yes
Greensboro	1989*	184	None	25%	49	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>NORTH CAROLINA</b>						
New Hanover County	1990	58	All	25%	No	Yes
Raleigh	1988*	208	All	33%	29	No
<b>OHIO</b>						
Akron	1985*	223	All	0%	50	No
Athens	1988	21	None	50%	30	Yes
Barbarton	1988	28	All	0%	50	Yes
Beachwood	1989	11	All	50%	49	Yes
Cincinnati	1985	364	All	0%	No	Yes
Cleveland	1986	506	All	40%	29	Yes
Cleveland Heights	1987	54	All	30%	30	Yes
Euclid	1989	55	All	0%	No	Yes
Lakewood	1987	60	All	0%	29	Yes
Lorain	1992	71	All	50%	48	Yes
Maple Heights	1988	27	All	0%	29	Yes
Mayfield Village	1986	3	All	10%	No	Yes
Medina	1987	19	None	50%	29	Yes
Parma	1988	88	All	0%	29	Yes
Parma Heights	1987	21	All	0%	No	Yes
Shaker Heights	1988	31	All	50%	30	Yes
Summit County	1987*	104	All	0%	49	Yes
Toledo	1987	333	All	20%	40	Yes
University Heights	1987	15	All	50%	29	Yes
Warren	1987	51	All	0%	29	Yes
Xenia	1985	25	All	0%	49	No
<b>OREGON</b>						
Eugene	1980	113	Public	0%	50	No
<b>PENNSYLVANIA</b>						
Erie	1988	109	All	20%	No	Yes
Lower Merion	1988	23	All	0%	24	Yes
Pittsburgh	1987	370	All	20%	50	Yes

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Chart 1

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>PENNSYLVANIA</b>						
State College	1987	39	All	0%	No	Yes
<b>SOUTH CAROLINA</b>						
Greenville	1987	58	None	50%	99	Yes
Hampton County	1987	9	Public	—	—	No
<b>SOUTH DAKOTA</b>						
Sioux Falls	1980	101	All	—	—	Yes
<b>TENNESSEE</b>						
Germantown	1989	33	None	0%	No	Yes
Memphis	1986	610	None	0%	49	Yes
<b>TEXAS</b>						
Abilene	1987	107	All	0%	No	Yes
Addison	1988	9	All	0%	49	Yes
Amarillo	1988	158	None	0%	No	Yes
Arlington	1985	262	None	0%	99	No
Austin	1986	466	All	0%	No	Yes
Bedford	1986	44	None	0%	99	Yes
Brownsville	1988	99	All	0%	24	Yes
Bryan	1986	55	None	0%	49	Yes
College Station	1990	52	None	50%	49	Yes
Colleyville	1989	13	All	0%	24	Yes
Corpus Christi	1986	257	All	25%	No	Yes
Dallas	1987	1,007	All	0%	49	Yes
Del Rio	1987	31	None	0%	No	Yes
Denton	1986	66	None	0%	49	Yes
Desoto	1989	31	All	75%	No	Yes
Duncanville	1989	36	None	0%	No	Yes
Eagle Pass	1987	21	None	0%	49	Yes
El Paso	1986	515	All	0%	No	Yes
Eules	1987	38	None	—	—	Yes
Fort Worth	1986	448	None	0%	49	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>TEXAS</b>						
Galveston	1989	59	All	0%	No	Yes
Garland	1991	181	None	0%	49	No
Grand Prairie	1986	100	All	0%	49	Yes
Greenville	1986	23	All	0%	No	Yes
Haltom City	1986	33	None	0%	49	Yes
Houston	1986*	1,631	All	0%	49	Yes
Huntsville	1987	28	None	30%	49	Yes
Hurst	1986	34	None	0%	99	Yes
Irving <sup>3</sup>	1979	155	None	—	—	No
Kerr County	1987	18	Public	—	—	No
Kerrville	1987	17	All	0%	No	Yes
Lancaster	1988	22	None	0%	49	Yes
Leon Valley	1987	10	None	0%	49	Yes
Longview	1987	70	None	0%	No	Yes
Lubbock	1987	186	None	0%	No	Yes
Mansfield <sup>3</sup>	1987	16	None	—	—	No
McAllen	1987	84	All	0%	No	Yes
Mesquite	1988	101	None	50%	49	Yes
Midland	1990	89	All	0%	No	Yes
New Braunfels	1990	27	Public	0%	9	No
North Richland Hills	1987	46	None	0%	49	Yes
Plano	1986	129	None	0%	49	Yes
Richardson	1988	75	All	0%	No	Yes
Rockwall	1986	10	Public	0%	99	No
San Antonio	1986	936	None	0%	49	Yes
Seguin	1988	19	All	0%	No	Yes
Sugar Land	1987	25	Public	—	—	No
Texarkana	1986	32	Public	—	—	No
Travis County	1986	95	All	0%	No	Yes
Tyler	1987	75	All	—	—	Yes

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<sup>3</sup> Though major provisions not covered, this ordinance covers provisions listed in Chart III.

Chart I

State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>TEXAS</b>						
Wichita Falls	1987	96	None	0%	99	Yes
<b>VERMONT</b>						
Burlington	1986*	39	All	0%	No	Yes
<b>VIRGINIA</b>						
Albemarle County	1989	68	All	20%	74	Yes
Alexandria	1988	111	None	25%	40	Yes
Arlington	1987*	171	None	25%	74	Yes
Charlottesville	1988	40	All	20%	74	No
Chesapeake	1988	152	Public	0%	49	Yes
Fairfax	1986*	20	None	25%	99	Yes
Fairfax County	1985	787	None	25%	99	Yes
Falls Church	1988*	10	None	25%	49	Yes
Franklin	1988	8	None	0%	50	Yes
Hampton	1989	134	None	0%	49	Yes
Lynchburg	1989	66	None	25%	39	Yes
Newport News	1989	170	Public	0%	49	Yes
Norfolk	1979	261	None	0%	49	Yes
Portsmouth	1988*	104	None	0%	49	Yes
Prince William County	1981*	210	Public	25%	99	Yes
Stafford County	1988	61	Public	—	—	No
Virginia Beach	1989	393	None	0%	49	Yes
<b>WASHINGTON</b>						
Kennewick	1985	42	None	0%	No	Yes
King County	1986	603	Public	—	—	No
Pierce County	1984*	340	All	0%	No	Yes
Seattle	1983	516	All	0%	75	Yes
<b>WEST VIRGINIA</b>						
Fairmont	1987	20	All	0%	30	Yes
Monongalia County	1992	43	All	50%	No	Yes
Morgantown	1991	26	All	50%	No	Yes

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State City or County	Date Enacted <sup>1</sup>	Population (000)	Work- places	Restaurants		Retail Stores
				Mini- mum	Exemp- tions <sup>2</sup>	
<b>WISCONSIN</b>						
Madison	1976*	191	None	0%	30	Yes
<b>WYOMING</b>						
Casper	1988	47	All	0%	50	Yes
Laramie	1986	27	All	0%	30	No

Total number of communities covered: **543**

<sup>1</sup> Original date ordinance enacted; asterisk indicates there has been an amendment.

<sup>2</sup> Restaurants that seat this number or fewer are exempt; “—” means there is no restaurant provision.

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## Chart II

# Smoking Ordinances: Workplace Provisions

Chart II summarizes the workplace provisions of the major local smoking ordinances in the United States. Some of the ordinances on this chart do not contain provisions explicitly covering workplaces, but are listed because they contain other provisions that affect workers, such as restaurant or retail store smoking restrictions (see Charts I and III). A total of 413 communities with workplace smoking provisions are listed.

**Workplaces (Type):** The workplaces column indicates whether a smoking ordinance restricts smoking in places of work. “Public” indicates that only government offices are covered. “Private” indicates that only private employers are covered. “All” means both are covered. Communities that do not have workplace provisions are included on this chart to indicate that they have a smoking ordinance covering other environments, such as restaurants.

**Meeting Rooms:** A “yes” indicates smoking is prohibited in meeting rooms.

**Designate Own Area:** This column indicates whether or not an ordinance contains a provision that allows employees to designate their own work area as a no-smoking area.

**NS Preference:** “Nonsmoker Preference” refers to a common provision in smoking ordinances, which states that in a conflict between the health concerns of nonsmokers and the desire of smokers to smoke in a given area, *the nonsmokers’ concerns will prevail*.

**Nonretaliation:** “Nonretaliation Clause” refers to a provision prohibiting retaliation against an employee who exercises rights provided by the smoking ordinance.

**Common Work Areas:** A “yes” indicates smoking is prohibited in common work areas.

**100% Smokefree:** A “yes” in the last column indicates smoking is completely prohibited in enclosed workplaces.

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# Smoking Ordinances: Workplace Provisions

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>ALABAMA</b>							
Auburn	All	No	No	No	No	No	No
Birmingham	All	No	No	No	No	No	No
Dothan	All	Yes	Yes	Yes	Yes	Yes	No
Eufaula	None						
Huntsville	All	No	No	No	Yes	No	No
Jackson	All	No	No	No	No	No	No
Madison	All	No	No	No	Yes	No	No
Mobile	All	No	No	No	No	No	No
Montgomery	All	No	No	No	No	No	No
Prattville	All	No	No	No	No	No	No
Tuscaloosa	Public	No	No	No	No	No	No
<b>ARIZONA</b>							
Chandler	All	No	No	Yes	Yes	No	No
Flagstaff	All	Yes	No	No	Yes	No	No
Gilbert	All	Yes	No	Yes	Yes	No	No
Glendale	All	Yes	Yes	Yes	Yes	No	No
Kingman	All	No	No	No	Yes	No	No
Maricopa County	All	Yes	Yes	Yes	Yes	No	No
Mesa	All	Yes	Yes	Yes	Yes	No	No
Paradise Valley	None						
Peoria	All	No	No	Yes	No	No	No
Phoenix	All	Yes	Yes	Yes	Yes	No	No
Pima County	All	Yes	Yes	Yes	No	Yes	No
Prescott	All	No	No	No	Yes	No	No
Scottsdale	All	Yes	Yes	Yes	No	No	No

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>ARIZONA</b>							
Tempe	All	Yes	Yes	Yes	Yes	No	No
Tucson	All	Yes	Yes	Yes	Yes	No	No
Yuma	All	No	No	No	Yes	No	No
<b>ARKANSAS</b>							
Little Rock	None						
McGehee	All	No	No	Yes	No	No	No
<b>CALIFORNIA</b>							
Agoura Hills	All	Yes	Yes	No	No	No	No
Alameda	All	Yes	Yes	Yes	Yes	No	No
Alameda County	All	Yes	Yes	Yes	Yes	No	No
Albany	All	Yes	Yes	Yes	Yes	Yes	Yes
Alhambra	All	No	Yes	Yes	No	No	No
Alpine County	All	Yes	Yes	Yes	Yes	Yes	Yes
Anaheim	All	Yes	Yes	Yes	No	No	No
Antioch	All	Yes	Yes	Yes	Yes	No	No
Apple Valley	None						
Arcata	All	Yes	Yes	No	Yes	No	No
Atascadero	None						
Auburn	All	Yes	Yes	Yes	Yes	Yes	Yes
Belmont	All	Yes	Yes	Yes	Yes	No	No
Benicia	All	Yes	Yes	Yes	Yes	No	No
Berkeley	All	Yes	Yes	Yes	Yes	No	No
Beverly Hills	None						
Big Bear Lake	Public	No	No	No	Yes	No	No
Blue Lake	All	Yes	Yes	Yes	No	No	No
Brea	All	Yes	No	No	No	No	No
Brentwood	All	Yes	Yes	Yes	Yes	No	No
Burbank	None						
Burlingame	All	No	No	Yes	Yes	No	No
Butte County	All	Yes	Yes	Yes	Yes	No	No

Chart II

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
Camarillo	All	Yes	No	No	No	No	No
Campbell	All	Yes	Yes	Yes	Yes	No	No
Carlsbad	All	Yes	No	No	No	No	No
Carpinteria	All	No	No	Yes	No	No	No
Cathedral City	None						
Chico	All	Yes	Yes	Yes	Yes	No	No
Chula Vista	All	Yes	No	No	No	No	No
Clayton	All	Yes	Yes	Yes	Yes	Yes	Yes
Cloverdale	All	Yes	Yes	No	Yes	No	No
Coachella	All	No	No	Yes	Yes	No	No
Colfax	All	Yes	Yes	Yes	Yes	Yes	Yes
Concord	All	Yes	Yes	Yes	Yes	No	No
Contra Costa County	All	Yes	Yes	Yes	Yes	Yes	Yes
Coronado	All	Yes	No	No	No	No	No
Corte Madera	None						
Cotati	All	Yes	Yes	Yes	Yes	No	No
Culver City	All	Yes	Yes	Yes	Yes	No	No
Cupertino	All	Yes	Yes	Yes	No	No	No
Cypress	All	No	Yes	No	No	No	No
Danville	All	Yes	Yes	Yes	Yes	No	No
Davis	All	Yes	No	Yes	Yes	No	No
Del Mar	All	Yes	No	No	No	No	No
Del Norte County	Public	Yes	Yes	Yes	Yes	No	No
Desert Hot Springs	All	Yes	Yes	Yes	No	No	No
Dixon	All	Yes	Yes	Yes	Yes	No	No
Downey	All	Yes	No	Yes	Yes	No	No
Duarte	All	Yes	Yes	Yes	No	No	No
Dublin	All	Yes	Yes	Yes	Yes	No	No
El Cajon	All	No	No	No	Yes	Yes	No
El Cerrito	All	Yes	Yes	Yes	Yes	Yes	Yes
El Dorado County	All	Yes	Yes	Yes	Yes	Yes	Yes

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
El Segundo	All	No	Yes	Yes	Yes	No	No
Emeryville	All	Yes	Yes	Yes	Yes	No	No
Escondido	All	Yes	No	No	No	Yes	No
Eureka	All	Yes	Yes	Yes	Yes	No	No
Fairfield	All	Yes	Yes	Yes	Yes	No	No
Fontana	All	Yes	Yes	Yes	Yes	No	No
Fortuna	All	Yes	Yes	No	Yes	No	No
Fremont	All	Yes	Yes	Yes	No	No	No
Fresno	All	Yes	Yes	Yes	Yes	No	No
Garden Grove	All	No	No	No	No	No	No
Gardena	None						
Gilroy	All	Yes	Yes	Yes	Yes	No	No
Grand Terrace	All	Yes	Yes	Yes	No	No	No
Grass Valley	All	Yes	Yes	Yes	Yes	No	No
Gridley	All	Yes	Yes	Yes	Yes	No	No
Hayward	All	Yes	Yes	Yes	Yes	No	No
Healdsburg	All	Yes	Yes	No	Yes	No	No
Hemet	All	No	Yes	No	Yes	No	No
Hercules	All	Yes	Yes	Yes	Yes	Yes	Yes
Hesperia	Public	Yes	Yes	Yes	No	Yes	Yes
Hollister	All	Yes	Yes	Yes	Yes	No	No
Huntington Beach	All	No	Yes	No	No	No	No
Imperial Beach	All	Yes	No	No	No	No	No
Indian Wells	All	Yes	Yes	No	No	Yes	No
Indio	All	Yes	Yes	Yes	No	No	No
Irvine	All	Yes	Yes	Yes	No	No	No
La Canada Flintridge	All	Yes	Yes	Yes	Yes	Yes	No
La Mesa	All	Yes	No	No	No	No	No
La Mirada	None						
La Quinta	All	Yes	Yes	Yes	Yes	Yes	No
Lafayette	All	Yes	Yes	Yes	Yes	Yes	Yes

*Chart II*

<b>State City or County</b>	<b>Work- places (Type)</b>	<b>Meeting Rooms</b>	<b>Designate Own Area</b>	<b>NS Pref- erence</b>	<b>Non- retali- ation</b>	<b>Common Work Areas</b>	<b>100% Smoke- free</b>
<b>CALIFORNIA</b>							
Laguna Beach	All	Yes	Yes	Yes	No	No	No
Laguna Niguel	All	Yes	Yes	Yes	Yes	No	No
Lakewood	Public	No	No	No	No	No	No
Lancaster	All	No	No	No	Yes	No	No
Larkspur	All	Yes	Yes	Yes	Yes	Yes	Yes
Lathrop	All	Yes	Yes	Yes	Yes	Yes	Yes
Lemon Grove	None						
Live Oak	All	Yes	Yes	Yes	Yes	No	No
Livermore	All	Yes	Yes	Yes	Yes	No	No
Livingston	All	Yes	Yes	Yes	Yes	No	No
Lodi	All	Yes	Yes	Yes	Yes	No	No
Loma Linda	All	Yes	Yes	Yes	Yes	No	No
Lompoc	All	Yes	Yes	Yes	Yes	No	No
Long Beach	All	Yes	No	No	Yes	Yes	No
Los Alamitos	Public	Yes	No	No	No	Yes	No
Los Altos	All	No	No	No	No	No	No
Los Angeles	All	No	No	No	Yes	No	No
Los Angeles County	Public	No	No	No	No	No	No
Los Gatos	All	Yes	Yes	Yes	No	Yes	Yes
Manhattan Beach	All	No	No	Yes	No	No	No
Marin County	None						
Martinez	All	Yes	Yes	Yes	Yes	Yes	Yes
Marysville	All	Yes	Yes	Yes	No	No	No
Menlo Park	All	Yes	Yes	Yes	No	No	No
Merced	All	Yes	Yes	No	Yes	No	No
Mill Valley	None						
Millbrae	All	No	No	No	No	No	No
Milpitas	All	Yes	Yes	Yes	No	No	No
Mission Viejo	All	Yes	Yes	Yes	Yes	No	No
Modesto	All	Yes	Yes	Yes	Yes	No	No

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
Monterey	All	Yes	Yes	Yes	Yes	Yes	No
Monterey County	All	Yes	Yes	Yes	No	Yes	No
Moorpark	All	Yes	No	No	No	Yes	No
Moraga	All	Yes	Yes	Yes	Yes	No	No
Moreno Valley	All	Yes	Yes	Yes	Yes	No	No
Morgan Hill	All	Yes	Yes	Yes	No	No	No
Morro Bay	All	No	No	Yes	No	No	No
Mountain View	All	Yes	Yes	Yes	No	No	No
Napa	None						
National City	All	Yes	No	No	No	No	No
Nevada County	All	Yes	Yes	Yes	Yes	No	No
Newark	All	Yes	Yes	No	Yes	No	No
Newport Beach	All	No	Yes	No	No	No	No
Novato	All	Yes	Yes	Yes	Yes	Yes	Yes
Oakdale	All	Yes	Yes	Yes	No	No	No
Oakland	All	Yes	Yes	Yes	Yes	Yes	Yes
Oceanside	All	Yes	No	No	No	No	No
Ojai	Public	No	No	Yes	No	No	No
Ontario	All	Yes	Yes	Yes	No	No	No
Orange County	All	Yes	Yes	Yes	Yes	No	No
Orinda	All	Yes	Yes	Yes	Yes	Yes	Yes
Oroville	All	Yes	Yes	Yes	Yes	No	No
Oxnard	All	Yes	No	No	No	No	No
Pacific Grove	None						
Palm Desert	All	Yes	No	Yes	Yes	No	No
Palm Springs	All	Yes	Yes	Yes	No	No	No
Palmdale	All	No	No	No	Yes	No	No
Palo Alto	All	Yes	Yes	Yes	No	No	No
Paradise	All	Yes	Yes	Yes	Yes	Yes	Yes
Pasadena	All	Yes	Yes	Yes	No	No	No
Petaluma	All	Yes	Yes	Yes	Yes	No	No

Chart II

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
Piedmont	All	Yes	Yes	Yes	Yes	No	No
Pinole	All	Yes	Yes	Yes	Yes	Yes	Yes
Pittsburg	All	Yes	Yes	Yes	Yes	No	No
Placer County	All	Yes	Yes	Yes	Yes	Yes	Yes
Placerville	All	Yes	Yes	Yes	Yes	Yes	Yes
Pleasant Hill	All	Yes	Yes	Yes	Yes	No	No
Pleasanton	All	Yes	Yes	Yes	No	No	No
Port Hueneme	All	Yes	No		No	No	No
Poway	All	Yes	No	No	No	No	No
Rancho Cucamonga	None						
Rancho Mirage	All	Yes	Yes	Yes	No	No	No
Redlands	All	Yes	Yes	Yes	No	No	No
Redwood City	All	Yes	Yes	Yes	No	No	No
Rialto	All	Yes	Yes	Yes	Yes	No	No
Richmond	All	Yes	Yes	Yes	Yes	No	No
Riverside	All	Yes	Yes	Yes	No	No	No
Riverside County	All	Yes	Yes	Yes	No	No	No
Rohnert Park	All	Yes	Yes	Yes	Yes	No	No
Roseville	All	Yes	Yes	Yes	Yes	Yes	Yes
Ross	None						
Sacramento	All	Yes	N/A	N/A	Yes	Yes	Yes
Sacramento County	All	Yes	Yes	Yes	Yes	Yes	Yes
Salinas	All	Yes	Yes	Yes	No	Yes	No
San Bernardino	All	No	No	No	Yes	No	No
San Bernardino County	All	No	No	No	Yes	No	No
San Bruno	All	No	No	Yes	Yes	No	No
San Buenaventura	All	Yes	No	No	No	No	No
San Carlos	All	Yes	Yes	Yes	Yes	Yes	No
San Clemente	All	No	No	No	No	No	No
San Diego	All	Yes	No	No	No	Yes	No

<b>State City or County</b>	<b>Work- places (Type)</b>	<b>Meeting Rooms</b>	<b>Designate Own Area</b>	<b>NS Pref- erence</b>	<b>Non- retali- ation</b>	<b>Common Work Areas</b>	<b>100% Smoke- free</b>
<b>CALIFORNIA</b>							
San Diego County	All	Yes	No	No	No	Yes	No
San Francisco	All	Yes	Yes	Yes	No	No	No
San Jose	All	Yes	Yes	Yes	No	No	No
San Juan Capistrano	All	Yes	Yes	Yes	No	No	No
San Leandro	All	Yes	No	No	Yes	No	No
San Luis Obispo	All	No	No	Yes	No	No	No
San Marcos	All	No	No	No	No	No	No
San Mateo	All	No	No	No	No	No	No
San Mateo County	All	Yes	Yes	Yes	Yes	Yes	Yes
San Pablo	All	Yes	Yes	Yes	Yes	No	No
San Rafael	None						
San Ramon	All	Yes	Yes	Yes	Yes	No	No
Santa Barbara	All	Yes	Yes	Yes	No	No	No
Santa Barbara County	All	No	No	Yes	No	No	No
Santa Clara	All	Yes	Yes	Yes	Yes	No	No
Santa Clara County	All	Yes	Yes	Yes	Yes	No	No
Santa Cruz	All	Yes	Yes	Yes	Yes	No	No
Santa Cruz County	All	Yes	Yes	Yes	Yes	No	No
Santa Maria	All	Yes	Yes	Yes	Yes	No	No
Santa Monica	All	No	No	No	Yes	No	No
Santa Rosa	All	Yes	No	Yes	No	No	No
Santee	All	Yes	No	No	No	No	No
Saratoga	All	Yes	Yes	Yes	No	No	No
Scotts Valley	All	Yes	Yes	Yes	Yes	No	No
Seaside	All	No	No	Yes	No	No	No
Sebastopol	All	Yes	Yes	Yes	No	No	No
Shasta County	All	No	Yes	No	Yes	No	No
Simi Valley	None						
Solana Beach	All	Yes	Yes	Yes	Yes	Yes	Yes
Solano County	All	Yes	Yes	Yes	Yes	Yes	Yes
Solvang	All	No	No	Yes	No	No	No



Chart II

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
Sonoma	All	Yes	Yes	Yes	Yes	No	No
Sonoma County	All	Yes	Yes	Yes	Yes	No	No
South Lake Tahoe	All	Yes	Yes	Yes	Yes	Yes	Yes
South Pasadena	None						
South San Francisco	All	Yes	Yes	Yes	Yes	No	No
Stanislaus County	All	Yes	Yes	Yes	Yes	No	No
Stockton	All	Yes	Yes	No	Yes	No	No
Sunnyvale	All	Yes	Yes	Yes	Yes	No	No
Sutter County	All	Yes	Yes	Yes	No	No	No
Temecula	All	Yes	Yes	Yes	No	No	No
Thousand Oaks	All	No	Yes	No	No	No	No
Tiburon	All	Yes	Yes	Yes	Yes	Yes	No
Torrance	All	Yes	Yes	Yes	Yes	No	No
Tracy	All	Yes	Yes	Yes	Yes	No	No
Turlock	All	Yes	Yes	Yes	No	No	No
Tustin	All	No	No	No	No	No	No
Ukiah	All	No	Yes	Yes	No	No	No
Union City	All	Yes	Yes	Yes	Yes	No	No
Vacaville	All	Yes	Yes	Yes	Yes	No	No
Vallejo	All	Yes	Yes	Yes	Yes	No	No
Victorville	All	No	No	No	No	No	No
Visalia	All	Yes	Yes	Yes	Yes	Yes	Yes
Vista	All	Yes	No	No	No	No	No
Walnut	Public	Yes	No	No	No	Yes	No
Walnut Creek	All	Yes	Yes	Yes	Yes	Yes	Yes
Watsonville	All	No	No	Yes	No	No	No
West Hollywood	All	Yes	Yes	Yes	Yes	Yes	No
West Sacramento	All	Yes	Yes	Yes	Yes	Yes	No
Wheatland	All	Yes	Yes	Yes	No	No	No
Whittier	All	Yes	Yes	Yes	Yes	Yes	Yes
Woodside	All	Yes	Yes	Yes	Yes	Yes	No

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>CALIFORNIA</b>							
Yolo County	Public	Yes	Yes	Yes	No	No	No
Yorba Linda	All	Yes	Yes	Yes	No	No	No
Yountville	All	Yes	Yes	Yes	Yes	No	No
Yuba City	All	Yes	Yes	Yes	Yes	No	No
<b>COLORADO</b>							
Arapahoe County	All	No	No	No	No	No	No
Arvada	All	No	No	No	No	No	No
Aspen	All	Yes	Yes	Yes	Yes	No	No
Aurora	All	Yes	Yes	Yes	No	No	No
Boulder	Private	No	No	Yes	No	No	No
Boulder County	All	No	Yes	Yes	No	No	No
Broomfield	All	No	No	No	No	No	No
Canon City	All	No	No	Yes	No	No	No
Carbondale	All	No	Yes	Yes	No	No	No
Colorado Springs	All	No	Yes	Yes	Yes	No	No
Denver	All	No	No	Yes	Yes	No	No
Englewood	All	Yes	Yes	Yes	No	No	No
Fort Collins	All	Yes	Yes	Yes	No	No	No
Glenwood Springs	None						
Golden	All	Yes	No	No	No	No	No
Grand Junction	All	Yes	No	No	No	No	No
Greeley	All	Yes	Yes	Yes	No	No	No
Greenwood Village	All	No	No	No	No	No	No
Jefferson County	All	No	No	Yes	No	No	No
Lakewood	All	Yes	Yes	Yes	Yes	No	No
Littleton	All	No	No	Yes	Yes	No	No
Longmont	All	Yes	Yes	Yes	No	No	No
Louisville	None						
Loveland	All	Yes	Yes	No	No	No	No
Parker	All	No	No	Yes	Yes	No	No

Chart II

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>COLORADO</b>							
Pueblo	All	No	No	Yes	No	No	No
Snowmass Village	All	Yes	No	Yes	Yes	No	No
Telluride	All	Yes	Yes	Yes	Yes	No	No
Thornton	All	No	No	No	Yes	No	No
Trinidad	All	No	No	Yes	No	No	No
Vail	All	Yes	No	Yes	Yes	No	No
Weld County	Public	Yes	Yes	Yes	No	Yes	Yes
Westminster	All	No	No	No	Yes	No	No
Wheat Ridge	All	No	No	No	Yes	No	No
<b>DELAWARE</b>							
Wilmington	All	Yes	No	Yes	Yes	No	No
<b>DISTRICT OF COLUMBIA</b>							
Washington	All	No	No	No	No	No	No
<b>GEORGIA</b>							
Augusta	None						
Gainesville	All	No	No	No	No	No	No
Richmond County	None						
Snellville	All	No	No	No	No	No	No
<b>HAWAII</b>							
Hawaii County	None						
Honolulu	None						
<b>ILLINOIS</b>							
Arlington Heights	All	Yes	Yes	Yes	Yes	No	No
Chicago	All	No	Yes	Yes	Yes	No	No
DeKalb	None						
Des Plaines	All	Yes	Yes	Yes	No	No	No
Downer's Grove	None						
Elgin	All	Yes	No	No	No	Yes	No
Evanston	None						
Highland Park	None						

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>ILLINOIS</b>							
Hoffman Estates	All	Yes	Yes	Yes	No	No	No
Oak Park	All	No	No	No	No	No	No
Orland Park	All	Yes	Yes	No	No	No	No
Park Ridge	None						
Rockford	All	No	No	No	Yes	No	No
Skokie	All	Yes	Yes	No	No	No	No
Wilmette	All	No	Yes	Yes	No	No	No
<b>INDIANA</b>							
Bloomington	None						
Fort Wayne	None						
<b>KANSAS</b>							
Lawrence	All	Yes	Yes	No	Yes	No	No
Overland Park	All	Yes	Yes	No	No	No	No
Prairie Village	None						
Topeka	All	Yes	Yes	Yes	Yes	No	No
<b>LOUISIANA</b>							
Lake Charles	All	Yes	Yes	No	Yes	No	No
New Orleans	All	Yes	Yes	No	Yes	No	No
<b>MARYLAND</b>							
Howard County	All	Yes	Yes	Yes	No	Yes	No
Montgomery County	All	Yes	No	No	No	Yes	No
Prince George's County	Public	Yes	Yes	Yes	Yes	No	No
Rockville	None						
Takoma Park	All	No	No	No	Yes	Yes	No
<b>MASSACHUSETTS</b>							
Acton	None						
Agawam	None						
Amherst	None						
Auburn	None						
Belmont	All	No	No	No	No	No	No

Chart II

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>MASSACHUSETTS</b>							
Beverly	None						
Braintree	None						
Brewster	None						
Brookline	All	No	No	Yes	No	No	No
Cambridge	All	Yes	Yes	Yes	No	No	No
Canton	None						
Chatham	None						
Chelmsford	All	No	No	No	No	No	No
Cohasset	None						
Concord	All	Yes	Yes	Yes	Yes	No	No
Danvers	None						
Dennis	None						
Easthampton	None						
Foxborough	None						
Framingham	None						
Great Barrington	All	Yes	Yes	No	No	No	No
Holden	None						
Holyoke	None						
Hudson	None						
Hull	None						
Lee	All	Yes	No	No	No	Yes	No
Lenox	All	Yes	No	No	No	Yes	No
Leominster	All	No	No	Yes	No	No	No
Lexington	All	Yes	No	No	No	No	No
Lynnfield	None						
Malden	None						
Marblehead	None						
Marlborough	None						
Maynard	None						
Medford	None						
Millis	All	No	No	Yes		No	No

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>MASSACHUSETTS</b>							
Natick	All	Yes	No	Yes	No	No	No
Needham	All	No	No	Yes	No	No	No
Newton	All	No	No	No	No	No	No
North Attleboro	All	No	Yes	No	No	No	No
Northampton	None						
Norwood	None						
Plainville	None						
Quincy	None						
Randolph	None						
Reading	None						
Revere	None						
Salem	None						
Sandwich	All	No	No	No	No	No	No
Scituate	None						
Somerville	All	Yes	No	No	No	No	No
Sterling	None						
Stockbridge	All	Yes	No	No	No	Yes	No
Stoughton	None						
Sudbury	All	Yes	No	Yes	No	No	No
Swampscott	None						
Tewksbury	None						
Townsend	All	No	No	No	No	No	No
Walpole	None						
Watertown	All	No	No	No	No	No	No
Wellesley	All	No	Yes	Yes	Yes	No	No
West Springfield	All	No	No	Yes	No	No	No
Westford	None						
Westminster	None						
Weymouth	None						
Williamstown	None						
Winchester	None						

Chart II

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>MASSACHUSETTS</b>							
Winthrop	None						
<b>MICHIGAN</b>							
East Lansing	All	Yes	Yes	Yes	Yes	No	No
Marquette	All	Yes	Yes	Yes	Yes	No	No
<b>MISSOURI</b>							
Clayton	None						
Columbia	All	Yes	No	No	No	No	No
Des Peres	None						
Independence	All	Yes	No	No	No	No	No
Jefferson	All	No	No	No	No	No	No
Kansas City	All	No	No	No	No	No	No
Rock Hill	None						
<b>NEW JERSEY</b>							
Hillsborough Town- ship	None						
<b>NEW MEXICO</b>							
Albuquerque	All	Yes	Yes	No	No	No	No
<b>NEW YORK</b>							
Chautauqua County	All	Yes	Yes	Yes	No	No	No
Erie County	All	No	No	No	No	No	No
Monroe County	All	Yes	Yes	Yes	No	No	No
Nassau County	All	Yes	Yes	Yes	No	No	No
New York City	All	Yes	Yes	No	Yes	No	No
Ontario County	All	Yes	Yes	Yes	No	No	No
Rockland County	All	Yes	Yes	Yes	No	No	No
Suffolk County	All	Yes	Yes	Yes	No	No	No
Westchester County	All	No	Yes	Yes	No	No	No
<b>NORTH CAROLINA</b>							
Chapel Hill	All	No	No	No	Yes	No	No
Greensboro	None						

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>NORTH CAROLINA</b>							
New Hanover County	All	No	No	No	No	No	No
Raleigh	All	No	No	No	No	No	No
<b>OHIO</b>							
Akron	All	No	No	No	No	No	No
Athens	None						
Barbarton	All	Yes	Yes	Yes	Yes	No	No
Beachwood	All	Yes	Yes	No	No	No	No
Cincinnati	All	Yes	No	Yes	Yes	No	No
Cleveland	All	Yes	Yes	Yes	Yes	No	No
Cleveland Heights	All	Yes	Yes	Yes	No	No	No
Euclid	All	No	No	Yes	No	No	No
Lakewood	All	Yes	Yes	Yes	Yes	No	No
Lorain	All	No	Yes	Yes	Yes	No	No
Maple Heights	All	Yes	Yes	No	Yes	No	No
Mayfield Village	All	Yes	Yes	Yes	Yes	No	No
Medina	None						
Parma	All	Yes	Yes	No	Yes	No	No
Parma Heights	All	Yes	No	Yes	Yes	No	No
Shaker Heights	All	Yes	Yes	Yes	Yes	No	No
Summit County	All	No	No	Yes	Yes	No	No
Toledo	All	Yes	Yes	Yes	Yes	No	No
University Heights	All	Yes	Yes	Yes	No	No	No
Warren	All	No	No	No	Yes	No	No
Xenia	All	No	No	Yes	No	No	No
<b>OREGON</b>							
Eugene	Public	No	No	No	No	No	No
<b>PENNSYLVANIA</b>							
Erie	All	Yes	Yes	No	Yes	No	No
Lower Merion	All	Yes	No	No	No	No	No
Pittsburgh	All	No	Yes	No	No	No	No



Chart II

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>PENNSYLVANIA</b>							
State College	All	No	No	No	No	No	No
<b>SOUTH CAROLINA</b>							
Greenville	None						
Hampton County	Public	No	No	No	No	No	No
<b>SOUTH DAKOTA</b>							
Sioux Falls	All	No	No	No	No	No	No
<b>TENNESSEE</b>							
Germantown	None						
Memphis	None						
<b>TEXAS</b>							
Abilene	All	Yes	No	No	No	No	No
Addison	All	No	No	No	Yes	No	No
Amarillo	None						
Arlington	None						
Austin	All	No	No	Yes	No	No	No
Bedford	None						
Brownsville	All	Yes	Yes	No	Yes	No	No
Bryan	None						
College Station	None						
Colleyville	All	No	No	Yes	No	No	No
Corpus Christi	All	Yes	No	No	No	No	No
Dallas	All	No	No	No	Yes	No	No
Del Rio	None						
Denton	None						
Desoto	All	Yes	No	No	Yes	Yes	No
Duncanville	None						
Eagle Pass	None						
El Paso	All	No	No	No	No	No	No
Eules	None						
Fort Worth	None						

State City or County	Work- places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>TEXAS</b>							
Galveston	All	No	No	Yes	No	No	No
Garland	None						
Grand Prairie	All	No	No	No	No	No	No
Greenville	All	No	No	Yes	No	No	No
Haltom City	None						
Houston	All	No	No	Yes	No	No	No
Huntsville	None						
Hurst	None						
Irving	None						
Kerr County	Public	Yes	Yes	Yes	Yes	No	No
Kerrville	All	No	No	Yes	No	No	No
Lancaster	None						
Leon Valley	None						
Longview	None						
Lubbock	None						
Mansfield	None						
McAllen	All	No	No	No	No	No	No
Mesquite	None						
Midland	All	No	No	No	No	No	No
New Braunfels	Public	Yes	Yes	Yes	No	Yes	Yes
North Richland Hills	None						
Plano	None						
Richardson	All	No	No	No	Yes	No	No
Rockwall	Public	No	No	No	No	No	No
San Antonio	None						
Seguin	All	No	No	No	No	No	No
Sugar Land	Public	No	No	No	No	No	No
Texarkana	Public	Yes	No	No	No	No	No
Travis County	All	No	No	Yes	No	No	No
Tyler	All	No	No	No	No	No	No

Chart II

State City or County	Work-places (Type)	Meeting Rooms	Designate Own Area	NS Pref- erence	Non- retali- ation	Common Work Areas	100% Smoke- free
<b>TEXAS</b>							
Wichita Falls	None						
<b>VERMONT</b>							
Burlington	All	No	No	No	No	No	No
<b>VIRGINIA</b>							
Albemarle County	All	No	No	No	No	Yes	No
Alexandria	None						
Arlington	None						
Charlottesville	All	No	Yes	No	No	No	No
Chesapeake	Public	No	No	No	No	No	No
Fairfax	None						
Fairfax County	None						
Falls Church	None						
Franklin	None						
Hampton	None						
Lynchburg	None						
Newport News	Public	No	No	No	No	No	No
Norfolk	None						
Portsmouth	None						
Prince William Co.	Public	Yes	No	No	No	No	No
Stafford County	Public	Yes	Yes	No	No	No	No
Virginia Beach	None						
<b>WASHINGTON</b>							
Kennewick	None						
King County	Public	Yes	No	No	No	No	No
Pierce County	All	Yes	Yes	Yes	Yes	No	No
Seattle	All	No	No	No	No	No	No
<b>WEST VIRGINIA</b>							
Fairmont	All	Yes	No	No	No	No	No
Monongalia County	All	No	Yes	Yes	Yes	No	No
Morgantown	All	No	Yes	Yes	Yes	No	No

<b>State City or County</b>	<b>Work- places (Type)</b>	<b>Meeting Rooms</b>	<b>Designate Own Area</b>	<b>NS Pref- erence</b>	<b>Non- retali- ation</b>	<b>Common Work Areas</b>	<b>100% Smoke- free</b>
<b>WISCONSIN</b>							
Madison	None						
<b>WYOMING</b>							
Casper	All	Yes	No	Yes	No	Yes	No
Laramie	All	No	No	No	No	No	No

Total number of communities with workplace ordinances: **413**

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## Chart III

# Smoking Ordinances: Other Provisions

Chart III summarizes the provisions of ordinances that address smoking in public places. This includes information on whether the ordinances limit smoking in food markets, health care facilities, public transportation, enclosed public places, and schools. The enforcement provisions also are listed.

**Food Markets:** A “yes” indicates that smoking is expressly limited in food markets.

**Health Facilities:** A “yes” indicates smoking is expressly limited in health care facilities.

**Public Transportation:** A “yes” indicates smoking is limited or banned on public transportation.

**Enclosed Public Places:** The fourth column indicates whether or not an ordinance contains a provision restricting smoking in enclosed public places generally (i.e., one that limits smoking in any facility open to the public). A provision limiting smoking in enclosed public places also covers other environments, including retail stores.

**Schools:** The schools column indicates whether smoking is banned or limited on school campuses. Ordinances vary in coverage, some limited to public schools, others extended to private schools or colleges. In some cases, a policy has been established by a school board or an individual school, and therefore the restriction is not contained in the smoking ordinance itself.

**Enforcement:** The last column summarizes the enforcement mechanism contained in a given smoking ordinance. If there are several enforcement provisions, that which is of the most practical significance is listed. For example, if the City Manager is given responsibility for receiving and acting on complaints, but there is also a specified fine, “City Mgr.” is listed because it points to an office to call for assistance. “Health Dept.” indicates the city or county health department is primarily responsible for enforcement. Other abbreviations include “N/S” (no enforcement mechanism is specified), “Code Enf.”

(Code Enforcement Officer), "Envir. Res." (Environmental Resources Department), "Bd. of Hlth." (Board of Health), "Envir. Serv." (Environmental Services Department), "Envir. Health Div." (Environmental Health Division), and "Dep. Pub. Saf." (Department of Public Safety).

# Smoking Ordinances: Other Provisions

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>ALABAMA</b>						
Auburn	Yes	Yes	Yes	Yes	Yes	Health Dept.
Birmingham	Yes	Yes	Yes	Yes	Yes	Health Dept.
Dothan	Yes	Yes	Yes	Yes	Yes	Health Dept.
Eufaula	Yes	Yes	Yes	No	Yes	Police Dept.
Huntsville	Yes	Yes	Yes	Yes	Yes	Health Dept.
Jackson	Yes	Yes	Yes	Yes	Yes	Health Dept.
Madison	Yes	Yes	Yes	Yes	Yes	Fine
Mobile	Yes	Yes	No	Yes	Yes	Fine
Montgomery	Yes	Yes	Yes	No	Yes	Health Dept.
Prattville	Yes	Yes	Yes	Yes	Yes	Health Dept.
Tuscaloosa	No	No	Yes	No	No	Fine
<b>ARIZONA</b>						
Chandler	Yes	Yes	Yes	Yes	Yes	Fine
Flagstaff	Yes	Yes	Yes	Yes	No	City Mgr.
Gilbert	Yes	Yes	Yes	Yes	Yes	Police Dept.
Glendale	Yes	Yes	Yes	Yes	Yes	Fine
Kingman	Yes	No	No	No	No	Police Dept.
Maricopa County	Yes	Yes	Yes	Yes	Yes	Fine
Mesa	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Paradise Valley	Yes	Yes	Yes	Yes	Yes	Fine
Peoria	Yes	Yes	Yes	Yes	Yes	City Mgr.
Phoenix	Yes	Yes	Yes	Yes	Yes	Fine
Pima County	Yes	Yes	Yes	Yes	Yes	Fine
Prescott	Yes	Yes	Yes	Yes	Yes	Fine
Scottsdale	Yes	Yes	Yes	Yes	Yes	Fine

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>ARIZONA</b>						
Tempe	Yes	Yes	Yes	Yes	No	Fine
Tucson	Yes	Yes	Yes	Yes	No	Fine
Yuma	Yes	Yes	Yes	No	Yes	Fine
<b>ARKANSAS</b>						
Little Rock	Yes	Yes	Yes	No	No	Fine
McGehee	Yes	Yes	Yes	Yes	Yes	Fine
<b>CALIFORNIA</b>						
Agoura Hills	Yes	Yes	Yes	Yes	No	Fine
Alameda	Yes	No	Yes	Yes	No	City Mgr.
Alameda County	Yes	Yes	Yes	Yes	No	Health Dept.
Albany	Yes	Yes	Yes	Yes	Yes	Police Dept.
Alhambra	Yes	Yes	Yes	Yes	Yes	Fine
Alpine County	Yes	Yes	No	Yes	Yes	Health Dept.
Anaheim	Yes	Yes	No	No	No	Fine
Antioch	Yes	Yes	Yes	Yes	No	Fine
Apple Valley	Yes	Yes	Yes	No	No	Health Dept.
Arcata	Yes	Yes	Yes	Yes	No	City Mgr.
Atascadero	No	Yes	Yes	No	No	City Mgr.
Auburn	Yes	Yes	Yes	Yes	Yes	City Mgr.
Belmont	Yes	Yes	No	No	No	Fine
Benicia	Yes	Yes	Yes	Yes	No	City Mgr.
Berkeley	Yes	Yes	Yes	Yes	No	Fine
Beverly Hills	Yes	No	No	No	No	Fine
Big Bear Lake	Yes	Yes	No	No	Yes	City Mgr.
Blue Lake	Yes	Yes	Yes	Yes	No	City Mgr.
Brea	No	Yes	No	No	No	Fine
Brentwood	Yes	Yes	Yes	Yes	No	City Mgr.
Burbank	No	Yes	No	No	No	N/S
Burlingame	Yes	Yes	Yes	Yes	No	Fine
Butte County	Yes	Yes	Yes	Yes	No	Health Dept.



Chart III

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>CALIFORNIA</b>						
Camarillo	Yes	Yes	Yes	Yes	No	Fine
Campbell	Yes	Yes	Yes	Yes	Yes	Fine
Carlsbad	Yes	Yes	Yes	No	No	Fine
Carpinteria	Yes	Yes	Yes	No	No	Fine
Cathedral City	No	Yes	Yes	No	No	Fine
Chico	Yes	Yes	Yes	No	No	Health Dept.
Chula Vista	Yes	Yes	Yes	No	No	Fine
Clayton	Yes	Yes	Yes	Yes	Yes	City Mgr.
Cloverdale	Yes	Yes	Yes	Yes	Yes	Police Dept.
Coachella	Yes	Yes	Yes	Yes	Yes	Fine
Colfax	Yes	Yes	Yes	Yes	Yes	City Mgr.
Concord	Yes	Yes	Yes	Yes	No	City Mgr.
Contra Costa County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Coronado	Yes	Yes	Yes	No	No	Fine
Corte Madera	Yes	Yes	No	No	No	City Mgr.
Cotati	Yes	Yes	Yes	Yes	Yes	City Mgr.
Culver City	Yes	Yes	Yes	Yes	No	City Mgr.
Cupertino	Yes	Yes	Yes	No	No	City Mgr.
Cypress	Yes	Yes	Yes	Yes	No	City Mgr.
Danville	Yes	Yes	Yes	Yes	No	City Mgr.
Davis	Yes	Yes	Yes	Yes	No	City Mgr.
Del Mar	Yes	Yes	Yes	No	No	Fine
Del Norte County	No	No	No	No	No	Fine
Desert Hot Springs	No	Yes	No	No	No	Fine
Dixon	Yes	Yes	Yes	Yes	No	City Mgr.
Downey	Yes	No	Yes	Yes	No	City Mgr.
Duarte	No	Yes	No	No	No	City Mgr.
Dublin	Yes	Yes	Yes	Yes	No	Fine
El Cajon	Yes	Yes	Yes	Yes	No	City Mgr.
El Cerrito	Yes	Yes	Yes	Yes	Yes	City Mgr.
El Dorado County	Yes	Yes	Yes	Yes	Yes	Envir. Serv.

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>CALIFORNIA</b>						
El Segundo	Yes	Yes	Yes	Yes	Yes	Fine
Emeryville	Yes	Yes	Yes	Yes	No	Code Enf.
Escondido	Yes	Yes	Yes	No	No	City Mgr.
Eureka	Yes	Yes	Yes	Yes	No	City Mgr.
Fairfield	Yes	Yes	Yes	Yes	Yes	City Mgr.
Fontana	Yes	Yes	Yes	Yes	No	Fine
Fortuna	Yes	Yes	Yes	No	Yes	City Mgr.
Fremont	Yes	Yes	Yes	Yes	No	City Mgr.
Fresno	Yes	Yes	Yes	Yes	No	City Mgr.
Garden Grove	No	Yes	No	No	No	Fine
Gardena	Yes	No	Yes	No	No	N/S
Gilroy	No	Yes	No	No	No	City Mgr.
Grand Terrace	No	Yes	No	No	No	Fine
Grass Valley	Yes	Yes	No	Yes	Yes	City Mgr.
Gridley	Yes	Yes	Yes	Yes	Yes	Health Dept.
Hayward	Yes	Yes	Yes	Yes	Yes	City Mgr.
Healdsburg	Yes	Yes	Yes	Yes	Yes	Fine
Hemet	Yes	Yes	Yes	No	No	Fine
Hercules	Yes	Yes	Yes	Yes	Yes	City Mgr.
Hesperia	Yes	Yes	Yes	No	No	Code Enf.
Hollister	No	No	No	No	No	Fine
Huntington Beach	No	Yes	No	No	No	Fine
Imperial Beach	Yes	Yes	Yes	No	No	Fine
Indian Wells	Yes	Yes	Yes	Yes	Yes	City Mgr.
Indio	Yes	Yes	No	No	No	Fine
Irvine	No	Yes	Yes	No	No	Fine
La Canada Flintridge	Yes	Yes	Yes	Yes	Yes	Fine
La Mesa	Yes	Yes	Yes	No	No	Fine
La Mirada	No	Yes	Yes	No	No	City Mgr.
La Quinta	Yes	Yes	Yes	Yes	No	Fine
Lafayette	Yes	Yes	Yes	Yes	Yes	City Mgr.

*Chart III*

<b>State</b> <b>City or County</b>	<b>Food Markets</b>	<b>Health Facili- ties</b>	<b>Public Trans- portation</b>	<b>Enclosed Public Places</b>	<b>Schools</b>	<b>Enforcement</b>
<b>CALIFORNIA</b>						
Laguna Beach	No	Yes	Yes	No	No	Fine
Laguna Niguel	Yes	Yes	No	No	No	Fine
Lakewood	Yes	Yes	Yes	No	No	Fine
Lancaster	Yes	Yes	Yes	Yes	No	Comm. Dev.
Larkspur	Yes	Yes	Yes	Yes	Yes	City Mgr.
Lathrop	Yes	Yes	Yes	Yes	Yes	City Mgr.
Lemon Grove	Yes	Yes	Yes	Yes	Yes	City Mgr.
Live Oak	Yes	Yes	Yes	Yes	No	Health Dept.
Livermore	Yes	Yes	Yes	Yes	No	City Mgr.
Livingston	Yes	Yes	No	No	No	City Mgr.
Lodi	Yes	Yes	Yes	Yes	No	Fire Dept.
Loma Linda	Yes	Yes	Yes	Yes	No	Fine
Lompoc	Yes	Yes	Yes	Yes	Yes	City Mgr.
Long Beach	Yes	Yes	Yes	No	No	Health Dept.
Los Alamitos	Yes	Yes	No	No	No	N/S
Los Altos	No	Yes	No	No	No	Fine
Los Angeles	Yes	Yes	Yes	No	Yes	Fine
Los Angeles County	No	No	No	No	No	N/S
Los Gatos	Yes	Yes	No	Yes	No	Fine
Manhattan Beach	Yes	Yes	No	No	No	Fine
Marin County	No	Yes	Yes	No	No	Health Dept.
Martinez	Yes	Yes	Yes	Yes	No	Health Dept.
Marysville	Yes	Yes	Yes	Yes	Yes	Health Dept.
Menlo Park	No	Yes	No	No	No	Fine
Merced	Yes	Yes	No	No	No	Fine
Mill Valley	Yes	Yes	Yes	No	No	Comm. Dev.
Millbrae	Yes	Yes	Yes	Yes	No	Fine
Milpitas	Yes	Yes	Yes	No	No	Fine
Mission Viejo	Yes	Yes	No	No	No	Health Dept.
Modesto	Yes	Yes	Yes	Yes	No	City Mgr.

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>CALIFORNIA</b>						
Monterey	Yes	Yes	Yes	Yes	No	N/S
Monterey County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Moorpark	Yes	Yes	Yes	Yes	Yes	Fine
Moraga	Yes	Yes	Yes	Yes	No	Fine
Moreno Valley	Yes	Yes	Yes	Yes	Yes	City Mgr.
Morgan Hill	Yes	Yes	Yes	Yes	No	City Mgr.
Morro Bay	Yes	Yes	Yes	No	No	City Mgr.
Mountain View	Yes	Yes	Yes	Yes	No	City Mgr.
Napa	No	Yes	Yes	No	No	Fine
National City	Yes	Yes	Yes	No	No	Fine
Nevada County	Yes	Yes	No	Yes	Yes	County Adm.
Newark	Yes	Yes	Yes	Yes	No	City Mgr.
Newport Beach	No	Yes	No	No	No	Fine
Novato	Yes	Yes	Yes	Yes	Yes	City Mgr.
Oakdale	Yes	Yes	No	No	No	City Mgr.
Oakland	Yes	Yes	Yes	Yes	No	City Mgr.
Oceanside	Yes	Yes	Yes	No	No	Fine
Ojai	Yes	Yes	Yes	No	No	Fine
Ontario	No	No	No	No	No	Fine
Orange County	Yes	Yes	No	No	No	Health Dept.
Orinda	Yes	Yes	Yes	Yes	Yes	City Mgr.
Oroville	Yes	Yes	Yes	Yes	No	Health Dept.
Oxnard	Yes	Yes	Yes	Yes	Yes	City Mgr.
Pacific Grove	Yes	Yes	Yes	Yes	Yes	City Mgr.
Palm Desert	Yes	Yes	Yes	No	No	Fine
Palm Springs	No	Yes	No	No	No	Fine
Palmdale	Yes	Yes	Yes	Yes	Yes	Fine
Palo Alto	Yes	Yes	Yes	Yes	Yes	Fine
Paradise	Yes	Yes	Yes	Yes	Yes	City Mgr.
Pasadena	No	Yes	No	No	No	Fine
Petaluma	Yes	Yes	Yes	Yes	No	City Mgr.

Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>CALIFORNIA</b>						
Piedmont	Yes	Yes	Yes	Yes	No	Police Dept.
Pinole	Yes	Yes	Yes	Yes	Yes	City Mgr.
Pittsburg	Yes	Yes	Yes	Yes	No	Fine
Placer County	Yes	Yes	Yes	Yes	No	Health Dept.
Placerville	Yes	Yes	Yes	Yes	Yes	Envir. Serv.
Pleasant Hill	Yes	Yes	Yes	Yes	No	Fine
Pleasanton	Yes	Yes	Yes	Yes	No	City Mgr.
Port Hueneme	Yes	Yes	Yes	Yes	Yes	City Mgr.
Poway	Yes	Yes	Yes	No	No	Fine
Rancho Cucamonga	Yes	Yes	No	No	No	City Mgr.
Rancho Mirage	Yes	Yes	Yes	Yes	No	Fine
Redlands	Yes	Yes	Yes	Yes	No	Fine
Redwood City	Yes	Yes	Yes	Yes	Yes	Fine
Rialto	No	No	No	No	No	City Mgr.
Richmond	Yes	Yes	Yes	Yes	No	City Mgr.
Riverside	No	Yes	No	No	No	Fine
Riverside County	No	Yes	No	No	No	Fine
Rohnert Park	Yes	Yes	Yes	Yes	Yes	City Mgr.
Roseville	Yes	Yes	Yes	Yes	No	Code Enf.
Ross	Yes	Yes	Yes	Yes	No	Police Dept.
Sacramento	Yes	Yes	Yes	Yes	Yes	Envir. Health Div.
Sacramento County	Yes	Yes	Yes	Yes	Yes	Envir. Serv.
Salinas	Yes	Yes	Yes	Yes	Yes	Health Dept.
San Bernardino	Yes	Yes	Yes	Yes	Yes	Fine
San Bernardino County	Yes	Yes	Yes	Yes	Yes	N/S
San Bruno	Yes	Yes	Yes	Yes	No	Fine
San Buenaventura	Yes	Yes	Yes	Yes	Yes	Code Enf.
San Carlos	Yes	Yes	Yes	Yes	Yes	Fine
San Clemente	No	Yes	No	No	No	Fine
San Diego	Yes	Yes	Yes	No	No	Fine

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>CALIFORNIA</b>						
San Diego County	Yes	Yes	Yes	No	No	Fine
San Francisco	Yes	Yes	No	No	Yes	Health Dept.
San Jose	No	Yes	No	No	No	Health Dept.
San Juan Capistrano	Yes	Yes	Yes	No	No	City Mgr.
San Leandro	Yes	Yes	Yes	No	No	City Mgr.
San Luis Obispo	Yes	Yes	No	No	No	City Mgr.
San Marcos	Yes	No	Yes	No	No	City Mgr.
San Mateo	Yes	Yes	Yes	Yes	No	Fine
San Mateo County	Yes	Yes	Yes	Yes	No	Health Dept.
San Pablo	Yes	Yes	Yes	Yes	No	Fine
San Rafael	Yes	Yes	Yes	No	No	Fine
San Ramon	Yes	Yes	Yes	Yes	No	City Mgr.
Santa Barbara	Yes	Yes	Yes	No	No	Fine
Santa Barbara County	Yes	Yes	No	No	No	Health Dept.
Santa Clara	No	Yes	No	No	No	City Mgr.
Santa Clara County	Yes	Yes	Yes	No	No	Fine
Santa Cruz	Yes	Yes	No	Yes	No	Health Dept.
Santa Cruz County	Yes	Yes	No	Yes	No	Health Dept.
Santa Maria	Yes	Yes	Yes	Yes	No	Fine
Santa Monica	Yes	Yes	Yes	No	No	Fine
Santa Rosa	Yes	Yes	Yes	Yes	No	Fine
Santee	Yes	Yes	Yes	No	No	Fine
Saratoga	Yes	Yes	No	Yes	No	City Mgr.
Scotts Valley	Yes	Yes	No	Yes	No	Health Dept.
Seaside	Yes	Yes	Yes	Yes	No	City Mgr.
Sebastopol	Yes	Yes	Yes	Yes	No	Police Dept.
Shasta County	Yes	No	No	Yes	No	Health Dept.
Simi Valley	Yes	Yes	Yes	Yes	No	Fine
Solana Beach	Yes	Yes	Yes	Yes	Yes	City Mgr.
Solano County	Yes	Yes	Yes	Yes	Yes	Envir. Serv.
Solvang	Yes	Yes	Yes	No	No	City Mgr.

Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>CALIFORNIA</b>						
Sonoma	Yes	Yes	Yes	Yes	Yes	Fine
Sonoma County	Yes	Yes	Yes	Yes	Yes	Health Dept.
South Lake Tahoe	Yes	Yes	Yes	Yes	Yes	Envir. Serv.
South Pasadena	Yes	Yes	No	No	No	City Mgr.
South San Francisco	Yes	Yes	Yes	No	No	Fine
Stanislaus County	Yes	Yes	No	No	No	Envir. Res.
Stockton	Yes	Yes	Yes	Yes	Yes	Fine
Sunnyvale	Yes	Yes	Yes	No	No	Fine
Sutter County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Temecula	No	Yes	No	No	No	Fine
Thousand Oaks	Yes	Yes	Yes	Yes	No	City Mgr.
Tiburon	Yes	Yes	Yes	Yes	No	City Mgr.
Torrance	Yes	Yes	Yes	Yes	No	City Mgr.
Tracy	Yes	Yes	Yes	Yes	No	City Mgr.
Turlock	Yes	Yes	Yes	No	No	Envir. Res.
Tustin	Yes	Yes	Yes	No	No	Fine
Ukiah	Yes	Yes	Yes	No	No	City Mgr.
Union City	Yes	Yes	Yes	Yes	No	City Mgr.
Vacaville	Yes	Yes	Yes	Yes	No	City Mgr.
Vallejo	Yes	Yes	Yes	Yes	No	City Mgr.
Victorville	Yes	Yes	Yes	No	No	City Mgr.
Visalia	Yes	Yes	Yes	Yes	Yes	Police Dept.
Vista	Yes	Yes	Yes	No	No	Fine
Walnut	No	No	Yes	No	No	N/S
Walnut Creek	Yes	Yes	Yes	Yes	No	City Mgr.
Watsonville	Yes	Yes	No	No	No	N/S
West Hollywood	Yes	Yes	Yes	Yes	No	Fine
West Sacramento	Yes	Yes	Yes	Yes	Yes	Code Enf.
Wheatland	Yes	Yes	Yes	Yes	No	Health Dept.
Whittier	Yes	Yes	Yes	Yes	No	City Mgr.
Woodside	Yes	Yes	Yes	Yes	Yes	Fine

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>CALIFORNIA</b>						
Yolo County	No	No	No	No	No	N/S
Yorba Linda	No	Yes	No	No	No	Fine
Yountville	Yes	Yes	Yes	Yes	Yes	City Mgr.
Yuba City	Yes	Yes	Yes	Yes	No	Health Dept.
<b>COLORADO</b>						
Arapahoe County	Yes	Yes	Yes	Yes	No	Sheriff
Arvada	Yes	Yes	Yes	Yes	Yes	Fine
Aspen	Yes	Yes	Yes	Yes	No	City Mgr.
Aurora	Yes	Yes	Yes	Yes	Yes	Health Dept.
Boulder	Yes	Yes	Yes	Yes	Yes	Fine
Boulder County	Yes	Yes	No	Yes	No	Health Dept.
Broomfield	Yes	Yes	No	No	No	Health Dept.
Canon City	Yes	No	Yes	No	No	Fine
Carbondale	Yes	Yes	No	No	No	City Mgr.
Colorado Springs	Yes	Yes	Yes	Yes	Yes	Health Dept.
Denver	No	Yes	No	No	Yes	N/S
Englewood	Yes	Yes	Yes	Yes	Yes	Fine
Fort Collins	Yes	Yes	Yes	Yes	Yes	N/S
Glenwood Springs	Yes	Yes	Yes	Yes	Yes	Fine
Golden	Yes	Yes	Yes	Yes	Yes	Fine
Grand Junction	Yes	Yes	Yes	Yes	Yes	Fine
Greeley	Yes	Yes	Yes	Yes	Yes	Fine
Greenwood Village	Yes	Yes	Yes	Yes	No	Police Dept.
Jefferson County	Yes	Yes	Yes	Yes	Yes	Sheriff
Lakewood	Yes	Yes	Yes	Yes	No	Health Dept.
Littleton	Yes	Yes	Yes	Yes	Yes	N/S
Longmont	Yes	Yes	Yes	Yes	Yes	Fine
Louisville	Yes	Yes	Yes	Yes	Yes	City Mgr.
Loveland	Yes	Yes	Yes	Yes	Yes	Fine
Parker	Yes	Yes	Yes	Yes	Yes	N/S



Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>COLORADO</b>						
Pueblo	Yes	Yes	Yes	Yes	Yes	Fine
Snowmass Village	Yes	Yes	Yes	Yes	No	Dep. Pub. Saf.
Telluride	Yes	Yes	Yes	Yes	No	City Mgr.
Thornton	Yes	Yes	Yes	Yes	No	Code Enf.
Trinidad	Yes	Yes	Yes	Yes	Yes	Fine
Vail	Yes	Yes	No	No	Yes	N/S
Weld County	No	No	No	No	No	N/S
Westminster	Yes	Yes	Yes	Yes	No	Code Enf.
Wheat Ridge	Yes	Yes	Yes	Yes	No	Fine
<b>DELAWARE</b>						
Wilmington	Yes	Yes	Yes	Yes	Yes	Police Dept.
<b>DISTRICT OF COLUMBIA</b>						
Washington	Yes	Yes	Yes	No	Yes	Fine
<b>GEORGIA</b>						
Augusta	No	No	No	No	No	Bd. of Hlth.
Gainesville	Yes	Yes	Yes	Yes	Yes	Bus. License Dept.
Richmond County	No	No	No	No	No	Health Dept.
Snellville	Yes	Yes	Yes	Yes	Yes	Police Dept.
<b>HAWAII</b>						
Hawaii County	Yes	Yes	No	No	No	Bldg. Dept.
Honolulu	Yes	Yes	No	No	No	Bldg. Dept.
<b>ILLINOIS</b>						
Arlington Heights	Yes	Yes	Yes	Yes	Yes	Health Dept.
Chicago	Yes	Yes	Yes	Yes	No	Fine
DeKalb	Yes	Yes	Yes	No	Yes	City Mgr.
Des Plaines	Yes	Yes	Yes	Yes	Yes	City Mgr.
Downer's Grove	No	Yes	No	No	No	N/S
Elgin	Yes	Yes	Yes	Yes	Yes	Code Enf.
Evanston	No	No	No	No	No	Health Dept.
Highland Park	Yes	Yes	Yes	Yes	No	Fine

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>ILLINOIS</b>						
Hoffman Estates	No	No	No	No	No	City Mgr.
Oak Park	Yes	Yes	Yes	Yes	Yes	Fine
Orland Park	No	No	No	No	No	Fine
Park Ridge	No	No	No	No	No	Fine
Rockford	Yes	Yes	Yes	Yes	Yes	Fine
Skokie	Yes	Yes	Yes	Yes	Yes	City Mgr.
Wilmette	Yes	Yes	No	Yes	No	Fine
<b>INDIANA</b>						
Bloomington	Yes	Yes	Yes	No	No	Fine
Fort Wayne	Yes	No	No	No	No	Health Dept.
<b>KANSAS</b>						
Lawrence	Yes	Yes	Yes	Yes	No	N/S
Overland Park	Yes	Yes	Yes	Yes	No	N/S
Prairie Village	Yes	Yes	Yes	No	Yes	Fine
Topeka	Yes	Yes	Yes	Yes	Yes	Health Dept.
<b>LOUISIANA</b>						
Lake Charles	Yes	Yes	Yes	Yes	Yes	Fire Dept.
New Orleans	Yes	Yes	Yes	Yes	Yes	Health Dept.
<b>MARYLAND</b>						
Howard County	Yes	Yes	Yes	Yes	No	Police Dept.
Montgomery County	Yes	Yes	No	Yes	Yes	Health Dept.
Prince George's County	No	No	No	No	No	N/S
Rockville	No	Yes	Yes	No	No	Health Dept.
Takoma Park	Yes	Yes	No	No	Yes	Health Dept.
<b>MASSACHUSETTS</b>						
Acton	No	No	No	No	No	Bd. of Hlth.
Agawam	No	No	No	No	No	Bd. of Hlth.
Amherst	No	No	No	No	No	Bd. of Hlth.
Auburn	Yes	Yes	Yes	No	Yes	Bd. of Hlth.
Belmont	No	No	No	No	No	Health Dept.

Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>MASSACHUSETTS</b>						
Beverly	No	No	No	No	No	Bd. of Hlth.
Braintree	No	No	No	No	No	Bd. of Hlth.
Brewster	No	No	No	No	No	Bd. of Hlth.
Brookline	Yes	Yes	Yes	No	No	Health Dept.
Cambridge	Yes	Yes	No	Yes	Yes	Health Dept.
Canton	No	No	No	No	No	Bd. of Hlth.
Chatham	No	No	No	No	No	Bd. of Hlth.
Chelmsford	Yes	Yes	No	No	Yes	Bd. of Hlth.
Cohasset	No	No	No	No	No	Bd. of Hlth.
Concord	Yes	Yes	No	Yes	No	Bd. of Hlth.
Danvers	No	No	No	No	No	Bd. of Hlth.
Dennis	No	No	No	No	No	Bd. of Hlth.
Easthampton	Yes	Yes	Yes	No	No	Bd. of Hlth.
Foxborough	No	No	No	No	No	Bd. of Hlth.
Framingham	No	No	No	No	No	Bd. of Hlth.
Great Barrington	Yes	Yes	No	Yes	No	Bd. of Hlth.
Holden	No	No	No	No	No	Bd. of Hlth.
Holyoke	No	No	No	No	No	Bd. of Hlth.
Hudson	No	No	No	No	No	Bd. of Hlth.
Hull	No	No	No	No	No	Bd. of Hlth.
Lee	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Lenox	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Leominster	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Lexington	No	No	No	No	No	Bd. of Hlth.
Lynnfield	No	No	No	No	No	Bd. of Hlth.
Malden	No	No	No	No	No	Bd. of Hlth.
Marblehead	Yes	No	Yes	Yes	No	Bd. of Hlth.
Marlborough	No	No	No	No	No	Bd. of Hlth.
Maynard	Yes	No	No	No	No	Bd. of Hlth.
Medford	No	No	No	No	No	Bd. of Hlth.
Millis	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>MASSACHUSETTS</b>						
Natick	Yes	Yes	Yes	Yes	No	Bd. of Hlth.
Needham	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Newton	No	No	No	No	No	Health Dept.
North Attleboro	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Northampton	Yes	Yes	Yes	No	No	Bd. of Hlth.
Norwood	No	No	No	No	No	Bd. of Hlth.
Plainville	No	No	No	No	No	Bd. of Hlth.
Quincy	No	No	No	No	No	Bd. of Hlth.
Randolph	No	No	No	No	No	Bd. of Hlth.
Reading	Yes	No	No	No	No	Bd. of Hlth.
Revere	No	No	No	No	No	Bd. of Hlth.
Salem	No	No	No	No	No	Bd. of Hlth.
Sandwich	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Scituate	No	No	No	No	No	Bd. of Hlth.
Somerville	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Sterling	Yes	No	Yes	Yes	Yes	Bd. of Hlth.
Stockbridge	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Stoughton	No	No	No	No	No	Bd. of Hlth.
Sudbury	Yes	Yes	No	Yes	No	Bd. of Hlth.
Swampscott	Yes	Yes	Yes	No	No	Bd. of Hlth.
Tewksbury	Yes	No	Yes	No	Yes	Bd. of Hlth.
Townsend	No	No	No	No	No	Bd. of Hlth.
Walpole	No	No	No	No	No	Bd. of Hlth.
Watertown	No	No	No	No	No	Bd. of Hlth.
Wellesley	No	No	No	No	No	Bd. of Hlth.
West Springfield	Yes	Yes	Yes	Yes	Yes	Bd. of Hlth.
Westford	No	No	No	No	No	Bd. of Hlth.
Westminster	No	No	No	No	No	Bd. of Hlth.
Weymouth	No	No	No	No	No	Bd. of Hlth.
Williamstown	No	No	No	No	No	Bd. of Hlth.
Winchester	No	No	No	No	No	Bd. of Hlth.

*Chart III*

<b>State City or County</b>	<b>Food Markets</b>	<b>Health Facili- ties</b>	<b>Public Trans- portation</b>	<b>Enclosed Public Places</b>	<b>Schools</b>	<b>Enforcement</b>
<b>MASSACHUSETTS</b>						
Winthrop	No	No	No	No	No	Bd. of Hlth.
<b>MICHIGAN</b>						
East Lansing	Yes	Yes	Yes	Yes	No	City Mgr.
Marquette	Yes	Yes	Yes	Yes	Yes	City Mgr.
<b>MISSOURI</b>						
Clayton	Yes	Yes	No	No	No	City Mgr.
Columbia	Yes	Yes	Yes	No	No	Health Dept.
Des Peres	Yes	No	No	No	No	N/S
Independence	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Jefferson	Yes	Yes	Yes	Yes	Yes	Code Enf.
Kansas City	Yes	Yes	Yes	No	No	Health Dept.
Rock Hill	Yes	Yes	Yes	No	Yes	Fine
<b>NEW JERSEY</b>						
Hillsborough Township	Yes	Yes	No	No	Yes	Fine
<b>NEW MEXICO</b>						
Albuquerque	Yes	Yes	Yes	Yes	No	Fine
<b>NEW YORK</b>						
Chautauqua County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Erie County	Yes	Yes	No	No	Yes	Health Dept.
Monroe County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Nassau County	Yes	Yes	Yes	Yes	No	Health Dept.
New York City	Yes	Yes	Yes	Yes	Yes	Health Dept.
Ontario County	Yes	Yes	Yes	Yes	Yes	N/S
Rockland County	Yes	Yes	Yes	Yes	Yes	Fine
Suffolk County	No	Yes	Yes	No	No	Health Dept.
Westchester County	Yes	Yes	Yes	Yes	Yes	Health Dept.
<b>NORTH CAROLINA</b>						
Chapel Hill	Yes	No	Yes	No	No	City Mgr.
Greensboro	Yes	No	No	No	No	Fine

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>NORTH CAROLINA</b>						
New Hanover County	Yes	No	No	No	No	Health Dept.
Raleigh	Yes	Yes	Yes	No	Yes	Fine
<b>OHIO</b>						
Akron	No	No	No	No	No	Health Dept.
Athens	Yes	Yes	Yes	Yes	Yes	Health Dept.
Barbarton	Yes	Yes	Yes	Yes	No	Health Dept.
Beachwood	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Cincinnati	Yes	Yes	Yes	Yes	Yes	Health Dept.
Cleveland	Yes	Yes	Yes	Yes	No	Health Dept.
Cleveland Heights	Yes	Yes	Yes	Yes	Yes	Health Dept.
Euclid	Yes	Yes	Yes	No	No	Fine
Lakewood	Yes	Yes	Yes	No	Yes	Health Dept.
Lorain	Yes	Yes	Yes	Yes	No	Health Dept.
Maple Heights	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Mayfield Village	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Medina	Yes	Yes	Yes	Yes	Yes	Health Dept.
Parma	Yes	Yes	Yes	Yes	Yes	Dep. Pub. Saf.
Parma Heights	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Shaker Heights	Yes	Yes	Yes	Yes	Yes	Health Dept.
Summit County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Toledo	Yes	Yes	Yes	Yes	Yes	Envir. Serv.
University Heights	Yes	Yes	Yes	Yes	Yes	Fire Dept.
Warren	Yes	No	Yes	Yes	Yes	Health Dept.
Xenia	No	No	No	No	Yes	Fine
<b>OREGON</b>						
Eugene	Yes	Yes	Yes	No	Yes	Fine
<b>PENNSYLVANIA</b>						
Erie	Yes	Yes	Yes	Yes	No	Fine
Lower Merion	Yes	Yes	Yes	Yes	Yes	Health Dept.
Pittsburgh	Yes	Yes	Yes	Yes	Yes	Dep. Pub. Saf.

Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>PENNSYLVANIA</b>						
State College	Yes	No	Yes	Yes	No	Health Dept.
<b>SOUTH CAROLINA</b>						
Greenville	Yes	Yes	Yes	No	Yes	Fine
Hampton County	No	Yes	No	No	Yes	Fine
<b>SOUTH DAKOTA</b>						
Sioux Falls	Yes	No	No	No	No	Fine
<b>TENNESSEE</b>						
Germantown	Yes	Yes	Yes	No	No	Fine
Memphis	Yes	No	Yes	No	No	Health Dept.
<b>TEXAS</b>						
Abilene	Yes	Yes	Yes	Yes	Yes	Fine
Addison	Yes	Yes	Yes	No	Yes	Fine
Amarillo	Yes	Yes	Yes	Yes	No	Fine
Arlington	No	Yes	Yes	No	Yes	Fine
Austin	Yes	Yes	No	Yes	Yes	Fine
Bedford	Yes	Yes	Yes	No	No	Fine
Brownsville	Yes	No	Yes	No	Yes	Health Dept.
Bryan	Yes	Yes	Yes	No	Yes	Fine
College Station	Yes	Yes	Yes	Yes	No	N/S
Colleyville	Yes	Yes	Yes	Yes	Yes	N/S
Corpus Christi	Yes	Yes	Yes	Yes	No	Health Dept.
Dallas	Yes	Yes	Yes	Yes	Yes	N/S
Del Rio	Yes	Yes	No	Yes	No	Fine
Denton	Yes	Yes	No	No	Yes	Fine
Desoto	No	Yes	Yes	No	Yes	N/S
Duncanville	Yes	Yes	No	Yes	Yes	N/S
Eagle Pass	Yes	Yes	Yes	Yes	Yes	Fine
El Paso	Yes	Yes	Yes	Yes	Yes	Health Dept.
Eules	Yes	No	No	No	No	Fine
Fort Worth	Yes	Yes	Yes	Yes	Yes	Fine

State	Food Markets	Health Facilities	Public Transportation	Enclosed Public Places	Schools	Enforcement
City or County						
<b>TEXAS</b>						
Galveston	Yes	Yes	Yes	Yes	Yes	Health Dept.
Garland	No	Yes	No	No	Yes	Fine
Grand Prairie	Yes	Yes	Yes	No	Yes	Fine
Greenville	Yes	Yes	Yes	Yes	Yes	Fine
Haltom City	Yes	Yes	No	Yes	Yes	Fine
Houston	Yes	Yes	Yes	Yes	No	Health Dept.
Huntsville	Yes	Yes	Yes	No	Yes	Fine
Hurst	Yes	Yes	Yes	No	No	Fine
Irving	No	Yes	Yes	No	Yes	Fine
Kerr County	No	Yes	No	No	No	N/S
Kerrville	Yes	Yes	Yes	Yes	Yes	Fine
Lancaster	Yes	Yes	No	No	Yes	N/S
Leon Valley	Yes	Yes	Yes	Yes	Yes	Fine
Longview	Yes	Yes	Yes	Yes	No	Fine
Lubbock	Yes	Yes	Yes	Yes	Yes	Health Dept.
Mansfield	No	Yes	Yes	No	Yes	N/S
McAllen	Yes	Yes	Yes	No	Yes	Fine
Mesquite	Yes	Yes	Yes	Yes	No	Envir. Health Div.
Midland	Yes	Yes	Yes	Yes	No	Health Dept.
New Braunfels	Yes	Yes	Yes	No	No	N/S
North Richland Hills	Yes	Yes	Yes	Yes	Yes	Fine
Plano	Yes	No	No	Yes	Yes	Fine
Richardson	Yes	Yes	Yes	No	Yes	Envir. Health Div.
Rockwall	No	No	No	No	No	Fine
San Antonio	Yes	Yes	Yes	No	Yes	Fine
Seguin	Yes	Yes	No	Yes	Yes	Fine
Sugar Land	No	No	No	No	No	N/S
Texarkana	No	Yes	No	No	Yes	Fine
Travis County	Yes	Yes	No	Yes	Yes	Fine
Tyler	Yes	Yes	Yes	Yes	Yes	Fine



Chart III

State City or County	Food Markets	Health Facili- ties	Public Trans- portation	Enclosed Public Places	Schools	Enforcement
<b>TEXAS</b>						
Wichita Falls	Yes	Yes	Yes	Yes	No	Fine
<b>VERMONT</b>						
Burlington	Yes	Yes	Yes	Yes	Yes	Health Dept.
<b>VIRGINIA</b>						
Albemarle County	Yes	Yes	No	No	Yes	Health Dept.
Alexandria	Yes	Yes	No	No	No	City Mgr.
Arlington	Yes	Yes	No	No	Yes	Fine
Charlottesville	Yes	Yes	Yes	No	Yes	Health Dept.
Chesapeake	Yes	Yes	No	No	No	Health Dept.
Fairfax	Yes	Yes	No	No	No	Health Dept.
Fairfax County	Yes	Yes	No	No	No	Health Dept.
Falls Church	Yes	Yes	No	No	No	N/S
Franklin	Yes	Yes	No	No	Yes	Health Dept.
Hampton	Yes	Yes	No	No	No	Health Dept.
Lynchburg	Yes	Yes	Yes	No	Yes	Health Dept.
Newport News	Yes	Yes	No	No	Yes	Health Dept.
Norfolk	Yes	Yes	Yes	No	Yes	Health Dept.
Portsmouth	Yes	Yes	No	No	Yes	City Mgr.
Prince William County	Yes	Yes	No	No	Yes	Fine
Stafford County	No	No	No	No	No	County Adm.
Virginia Beach	Yes	Yes	Yes	No	Yes	Health Dept.
<b>WASHINGTON</b>						
Kennewick	Yes	Yes	Yes	Yes	Yes	Fine
King County	No	No	No	No	No	N/S
Pierce County	Yes	Yes	Yes	Yes	Yes	Health Dept.
Seattle	Yes	Yes	Yes	No	Yes	Health Dept.
<b>WEST VIRGINIA</b>						
Fairmont	Yes	Yes	Yes	Yes	Yes	City Mgr.
Monongalia County	Yes	Yes	Yes	Yes	No	Health Dept.
Morgantown	Yes	Yes	Yes	Yes	No	City Mgr.

<b>State</b> <b>City or County</b>	<b>Food Markets</b>	<b>Health Facili- ties</b>	<b>Public Trans- portation</b>	<b>Enclosed Public Places</b>	<b>Schools</b>	<b>Enforcement</b>
<b>WISCONSIN</b>						
Madison	Yes	Yes	Yes	No	Yes	Health Dept.
<b>WYOMING</b>						
Casper	Yes	Yes	No	Yes	Yes	Health Dept.
Laramie	Yes	Yes	No	Yes	Yes	Fine

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## **Chart IV**

# **Access to Minors: Vending Machine Ordinances**

Chart IV lists local ordinances limiting the use of tobacco vending machines. There are 161 communities listed. All listed ordinances restrict placement of tobacco vending machines. In general, such ordinances apply to all tobacco products, including cigarettes and smokeless tobacco.

**Year Enacted:** The first column lists the year of enactment of each vending machine ordinance.

**Total Ban:** A "yes" in the second column indicates an ordinance that completely eliminates tobacco vending machines, without exception.

**Bars Exempted:** A "yes" in the "Bars Exempted" column indicates that tobacco vending machines are permitted in bars and other facilities from which minors are excluded by law. In some cases, ordinances mandate that vending machines, although permitted in bars, must be placed a specified distance from doorways, typically 25 feet, to discourage purchases of tobacco products by young people.

**Locking Devices:** A "yes" in the "Locking Devices" column indicates that tobacco vending machines are permitted but must be equipped with a mechanical device intended to be controlled by an employee. Such devices have generally been found ineffective against sales of tobacco products to children.

**Tokens:** A "yes" in the last column indicates that vending machines are permitted if they operate on tokens rather than cash. As with over-the-counter sales of tobacco products, tokens may not be sold to minors.

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# Access to Minors: Vending Machine Ordinances

State City or County	Year Enacted	Total Ban	Bars Exempted	Locking Devices	Tokens
<b>ARIZONA</b>					
Cottonwood	1992	No	Yes	No	No
<b>CALIFORNIA</b>					
Alameda County	1991	No	Yes	Yes	No
Albany	1992	No	Yes	No	No
Amador County	1991	No	Yes	No	No
Atascadero	1992	Yes	No	No	No
Berkeley	1991	Yes	No	No	No
Capitola	1991	Yes	No	No	No
Clayton	1992	No	Yes	No	No
Contra Costa County	1991	No	Yes	No	No
Cupertino	1992	No	Yes	No	No
Davis	1992	Yes	No	No	No
Duarte	1989	No	Yes	No	No
El Cerrito	1991	No	Yes	No	No
Escondido	1991	No	Yes	No	No
Fairfield	1992	No	Yes	No	No
Hercules	1992	No	Yes	No	No
Hesperia	1992	No	Yes	No	No
Lafayette	1992	No	Yes	No	No
Laguna Beach	1992	Yes	No	No	No
Larkspur	1992	Yes	No	No	No
Loma Linda	1991	No	Yes	No	No
Los Gatos	1991	Yes	No	No	No
Manteca	1976	No	Yes	No	No
Novato	1992	No	Yes	No	No

<b>State</b> <b>City or County</b>	<b>Year</b> <b>Enacted</b>	<b>Total</b> <b>Ban</b>	<b>Bars</b> <b>Exempted</b>	<b>Locking</b> <b>Devices</b>	<b>Tokens</b>
<b>CALIFORNIA</b>					
Oakland	1992	No	Yes	Yes	No
Orinda	1992	No	Yes	No	No
Palo Alto	1991	No	Yes	No	No
Paradise	1991	No	Yes	No	No
Petaluma	1991	No	Yes	No	No
Pinole	1992	No	Yes	No	No
Plymouth	1992	No	Yes	No	No
Rancho Mirage	1990	Yes	No	No	No
Sacramento	1991	Yes	No	No	No
San Francisco	1991	No	Yes	No	No
San Jose	1992	No	Yes	No	No
San Luis Obispo	1992	Yes	No	No	No
San Luis Obispo County	1991	Yes	No	No	No
San Marcos	1977	No	Yes	No	No
San Mateo County	1992	No	Yes	No	No
Santa Cruz	1991	No	Yes	No	No
Santa Cruz County	1991	No	Yes	No	No
Santa Monica	1991	Yes	No	No	No
Santa Rosa	1991	No	Yes	No	No
Scotts Valley	1991	Yes	No	No	No
Seaside	1992	No	Yes	No	No
Sebastopol	1992	No	Yes	No	No
Siskiyou County	1992	No	Yes	No	No
Solana Beach	1992	No	Yes	No	No
Solano County	1991	Yes	No	No	No
Vacaville	1992	No	Yes	No	No
Vallejo	1991	Yes	No	No	No
Walnut Creek	1991	No	Yes	No	No
Watsonville	1991	Yes	No	No	No
West Hollywood	1992	No	Yes	No	No
West Sacramento	1991	No	Yes	No	No

Chart IV

<b>State City or County</b>	<b>Year Enacted</b>	<b>Total Ban</b>	<b>Bars Exempted</b>	<b>Locking Devices</b>	<b>Tokens</b>
<b>CALIFORNIA</b>					
Whittier	1991	No	Yes	No	No
<b>DISTRICT OF COLUMBIA</b>					
Washington	1990	No	Yes	No	No
<b>ILLINOIS</b>					
Buffalo Grove	1990	No	Yes	Yes	No
Charleston	1990	No	Yes	Yes	No
Chicago	1991	No	Yes	No	No
Elk Grove Village	1991	No	Yes	Yes	No
Elmhurst	1990	No	Yes	Yes	No
Woodridge	1989	No	Yes	Yes	No
<b>LOUISIANA</b>					
Iowa	1990	Yes	No	No	No
<b>MAINE</b>					
Orono	1990	Yes	No	No	No
<b>MARYLAND</b>					
Bowie	1991	No	Yes	No	No
Takoma Park	1990	No	Yes	No	No
<b>MASSACHUSETTS</b>					
Barre	1991	No	No	Yes	No
Brookline	1991	No	Yes	Yes	No
Cambridge	1991	No	Yes	No	No
Chelmsford	1991	No	Yes	Yes	No
Dennis	1991	No	Yes	No	No
Framingham	1984	No	No	Yes	No
Lee	1992	Yes	No	No	No
Lenox	1992	Yes	No	No	No
Leominster	1989	No	Yes	No	No
Millis	1991	No	Yes	Yes	No

State City or County	Year Enacted	Total Ban	Bars Exempted	Locking Devices	Tokens
<b>MASSACHUSETTS</b>					
Needham	1991	No	No	Yes	No
Plymouth	1992	No	Yes	No	No
Provincetown	1992	Yes	No	No	No
Somerville	1992	No	No	Yes	No
Stockbridge	1992	Yes	No	No	No
<b>MICHIGAN</b>					
Ann Arbor	1990	Yes	No	No	No
East Lansing	1991	No	Yes	Yes	No
Flushing	1991	Yes	No	No	No
Ingham County	1992	No	Yes	Yes	No
Marquette County	1990	No	Yes	No	No
Rochester Hills	1990	No	Yes	No	No
Sterling Heights	1991	No	Yes	No	No
<b>MINNESOTA</b>					
Anoka	1989	No	Yes	No	No
Austin	1991	No	Yes	No	Yes
Big Lake	1990	No	Yes	No	No
Blaine	1989	No	Yes	No	No
Bloomington	1990	Yes	No	No	No
Brooklyn Center	1991	Yes	No	No	No
Brooklyn Park	1990	Yes	No	No	No
Cannon Falls	1990	No	Yes	No	No
Champlin	1989	No	Yes	No	No
Chanhassen	1991	Yes	No	No	No
Cokato	1990	Yes	No	No	No
Coon Rapids	1990	Yes	No	No	No
Deer River	1989	No	Yes	No	No
Delano	1990	Yes	No	No	No
Duluth	1990	No	Yes	No	No
Edina	1992	Yes	No	No	No
Falcon Heights	1991	Yes	No	No	No



Chart IV

State City or County	Year Enacted	Total Ban	Bars Exempted	Locking Devices	Tokens
<b>MINNESOTA</b>					
Golden Valley	1990	Yes	No	No	No
Hutchinson	1990	Yes	No	No	No
Jackson	1990	No	Yes	No	No
Kenyon	1990	Yes	No	No	No
Milaca	1990	Yes	No	No	No
Minneapolis	1990	No	Yes	No	No
Minnetonka	1990	Yes	No	No	No
Mora	1990	Yes	No	No	No
New Brighton	1989	No	Yes	No	No
Northfield	1990	Yes	No	No	No
Owatonna	1990	Yes	No	No	No
Preston	1988	Yes	No	No	No
Red Wing	1990	No	Yes	No	No
Redwood Falls	1990	No	Yes	No	No
Richfield	1990	Yes	No	No	No
Roseville	1991	Yes	No	No	No
Sartell	1990	Yes	No	No	No
Shoreview	1991	No	Yes	No	No
St. Cloud	1990	Yes	No	No	No
St. Louis Park	1990	Yes	No	No	No
St. Paul	1990	No	No	Yes	Yes
Waconia	1989	Yes	No	No	No
West St. Paul	1990	No	Yes	No	No
White Bear Lake	1989	Yes	No	No	No
Worthington	1990	No	Yes	No	No
<b>NEW JERSEY</b>					
Bernards Township	1991	No	Yes	No	No
<b>NEW MEXICO</b>					
Albuquerque	1991	No	Yes	No	No

State City or County	Year Enacted	Total Ban	Bars Exempted	Locking Devices	Tokens
<b>NEW YORK</b>					
Buffalo	1991	No	Yes	No	No
Great Neck Plaza	1991	Yes	No	No	No
New York City	1991	No	Yes	No	No
<b>NORTH CAROLINA</b>					
Raleigh	1992	No	Yes	No	No
<b>NORTH DAKOTA</b>					
Bismarck	1992	No	Yes	No	No
Grand Forks	1990	No	Yes	No	No
Jamestown	1992	No	Yes	No	No
Mandan	1992	No	Yes	No	No
Valley City	1992	No	Yes	No	No
<b>PENNSYLVANIA</b>					
Allentown	1990	No	Yes	No	No
Bethlehem	1990	No	Yes	No	No
Easttown	1991	No	Yes	No	No
Haverford	1991	Yes	No	No	No
Pittsburgh	1990	No	Yes	No	Yes
Radnor	1991	Yes	No	No	No
Tredyffrin	1991	Yes	No	No	No
Uwchlan Township	1991	No	Yes	No	No
Warrington Township	1991	Yes	No	No	No
West Goshen Township	1991	No	Yes	No	No
<b>TEXAS</b>					
Houston	1991	No	Yes	No	No
<b>WASHINGTON</b>					
Everett	1990	No	Yes	No	No
King County	1988	No	Yes	No	No
Lynnwood	1989	No	Yes	Yes	No
Mountlake Terrace	1991	No	Yes	No	No
Seattle	1991	No	Yes	No	No

Chart IV

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<b>State City or County</b>	<b>Year Enacted</b>	<b>Total Ban</b>	<b>Bars Exempted</b>	<b>Locking Devices</b>	<b>Tokens</b>
<b>WASHINGTON</b>					
· Snohomish County	1991	No	Yes	No	No
Vancouver	1989	No	Yes	No	No
<b>WYOMING</b>					
Gillette	1991	No	Yes	No	No

Total number of vending machine ordinances: **161**

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## **Chart V**

# **Access to Minors: Tobacco Sampling And Licensing Ordinances**

Chart V lists local ordinances that limit or ban the free distribution of tobacco product samples and those that require tobacco retailers to hold a revokable license.

**Tobacco Sampling:** A “yes” indicates that the community has an ordinance that limits or bans free distribution of tobacco products. While most ordinances eliminate the practice completely, some prohibit it only on public property. There are 68 tobacco sampling ordinances included in this publication.

**Licensing:** A “yes” in the second column indicates that the city or county requires tobacco retailers to hold a special license. Only ordinances that provide a mechanism for revoking or suspending the license are listed in this chart. (Some vending machine ordinances require licenses as a means of enforcing the ordinance, but licensing does not apply to other retail sales of tobacco. Those ordinances are listed in Chart IV.) There are 33 tobacco retail licensure ordinances included in this publication.

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# Access to Minors: Tobacco Sampling And Licensing Ordinances

State	City or County	Tobacco Sampling	Year Enacted	Licensing	Year Enacted
<b>CALIFORNIA</b>					
	Albany	Yes	1992	No	
	Berkeley	Yes	1991	No	
	Clayton	Yes	1992	No	
	Contra Costa County	Yes	1991	No	
	El Cerrito	Yes	1991	No	
	Hercules	Yes	1992	No	
	Lafayette	Yes	1992	No	
	Long Beach	Yes	1991	No	
	Oakland	Yes	1992	No	
	Orinda	Yes	1992	No	
	Pinole	Yes	1992	No	
	San Francisco	Yes	1988	No	
	San Mateo County	Yes	1992	No	
	Seaside	Yes	1992	No	
	Sebastopol	Yes	1992	No	
	Solana Beach	Yes	1986	No	
	Solano County	Yes	1991	No	
	Vallejo	Yes	1991	No	
	Walnut Creek	Yes	1991	No	
	West Sacramento	Yes	1991	No	
<b>DISTRICT OF COLUMBIA</b>					
	Washington	Yes	1990	Yes	1990
<b>GEORGIA</b>					
	Atlanta	Yes	1986	No	

State	City or County	Tobacco Sampling	Year Enacted	Licensing	Year Enacted
<b>ILLINOIS</b>					
	Buffalo Grove	No		Yes	1990
	Charleston	Yes	1990	No	
	Chicago	Yes	1991	Yes	1991
	Elk Grove Village	Yes	1991	Yes	1991
	Elmhurst	Yes	1990	Yes	1990
	Woodridge	Yes	1989	Yes	1989
<b>INDIANA</b>					
	Indianapolis	No		Yes	1991
<b>MARYLAND</b>					
	Bowie	Yes	1987	No	
	Takoma Park	Yes	1990	No	
<b>MASSACHUSETTS</b>					
	Amherst	Yes	1987	No	
	Barre	Yes	1991	Yes	1991
	Belmont	Yes	1990	No	
	Boston	Yes	1984	No	
	Chelmsford	Yes	1991	No	
	Concord	Yes	1991	Yes	1991
	Framingham	Yes	1984	Yes	1984
	Lee	Yes	1992	No	
	Lenox	Yes	1992	No	
	Leominster	Yes	1989	Yes	1989
	Millis	Yes	1991	Yes	1991
	Needham	Yes	1991	No	
	New Bedford	Yes	1989	No	
	Newton	Yes	1982	No	
	North Attleboro	Yes	1992	No	
	Sandwich	Yes	1991	No	
	Somerville	Yes	1992	Yes	1992
	Stockbridge	Yes	1992	No	



Chart V

State	City or County	Tobacco Sampling	Year Enacted	Licensing	Year Enacted
<b>MASSACHUSETTS</b>					
	Wellesley	Yes	1990	No	
	Weymouth	Yes	1990	No	
	Worcester	Yes	1984	No	
<b>MICHIGAN</b>					
	East Lansing	Yes	1991	Yes	1991
	Ingham County	Yes	1992	Yes	1992
	Marquette County	No		Yes	1990
<b>MINNESOTA</b>					
	Albert Lea	Yes	1991	Yes	1991
	Blaine	Yes	1989	No	
	Brooklyn Center	No		Yes	1991
	Brooklyn Park	No		Yes	1972
	Chanhassen	No		Yes	1991
	Deer River	Yes	1989	No	
	Duluth	Yes	1990	Yes	1990
	Excelsior	No		Yes	1972
	Kasson	No		Yes	1983
	Minneapolis	Yes	1990	Yes	1990
	Minnnetonka	No		Yes	1990
	Owatonna	No		Yes	1990
	Redwood Falls	Yes	1990	No	
	Roseville	No		Yes	1991
	Sartell	No		Yes	1990
	St. Cloud	No		Yes	1990
	St. Paul	Yes	1990	No	
<b>NEW MEXICO</b>					
	Albuquerque	Yes	1991	No	
<b>NEW YORK</b>					
	Erie County	Yes	1991	No	

<b>State</b>	<b>City or County</b>	<b>Tobacco Sampling</b>	<b>Year Enacted</b>	<b>Licensing</b>	<b>Year Enacted</b>
<b>NEW YORK</b>					
	Great Neck Plaza	Yes	1991	No	
<b>OHIO</b>					
	Cincinnati	Yes	1988	No	
<b>TEXAS</b>					
	Austin	Yes	1988	No	
	Dallas	Yes	1990	No	
<b>WASHINGTON</b>					
	Everett	No		Yes	1990
	King County	Yes	1991	Yes	1988
	Mountlake Terrace	No		Yes	1991
	Seattle	Yes	1991	Yes	1991
	Snohomish County	No		Yes	1991
	Vancouver	Yes	1989	No	

Total tobacco sampling ordinances: **68**

Total licensing ordinances: **33**

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**Appendix A**  
**Summary of Local Ordinances,**  
**By State**

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Table 1  
**Local smoking ordinances, total number, by state**

	Total	Workplaces	Restaurants	Retail Stores	Enclosed Public Places
Alabama	11	10	10	10	8
Arizona	16	15	13	15	14
Arkansas	2	1	0	1	1
California	242	224	231	203	142
Colorado	34	32	32	31	28
Delaware	1	1	1	1	1
District of Columbia	1	1	1	1	0
Georgia	4	2	4	2	2
Hawaii	2	0	1	1	0
Illinois	15	10	14	10	9
Indiana	2	0	2	1	0
Kansas	4	3	3	4	3
Louisiana	2	2	2	2	2
Maryland	5	4	4	4	2
Massachusetts	68	23	66	19	17
Michigan	2	2	2	2	2
Missouri	7	4	7	7	2
New Jersey	1	0	1	0	0
New Mexico	1	1	1	1	1
New York	9	9	7	8	7
North Carolina	4	3	4	3	0
Ohio	21	19	21	19	17
Oregon	1	1	1	0	0

Table 1 (continued)

	Total	Workplaces	Restaurants	Retail Stores	Enclosed Public Places
Pennsylvania	4	4	4	4	4
South Carolina	2	1	1	1	0
South Dakota	1	1	0	1	0
Tennessee	2	0	2	2	0
Texas	51	25	44	42	28
Vermont	1	1	1	1	1
Virginia	17	6	16	15	0
Washington	4	3	3	3	2
West Virginia	3	3	3	3	3
Wisconsin	1	0	1	1	0
Wyoming	2	2	2	1	2
Totals	543	413	505	419	298

**Table 2**  
**Local ordinances restricting youth access to tobacco,**  
**total number, by state**

	Total	Vending Machines	Tobacco Sampling	Licensing
Arizona	1	1	0	0
California	56	55	20	0
District of Columbia	1	1	1	1
Georgia	1	0	1	0
Illinois	6	6	5	5
Indiana	1	0	0	1
Louisiana	1	1	0	0
Maine	1	1	0	0
Maryland	2	2	2	0
Massachusetts	26	15	21	6
Michigan	7	7	2	3
Minnesota	45	42	7	12
New Jersey	1	1	0	0
New Mexico	1	1	1	0
New York	4	3	2	0
North Carolina	1	1	0	0
North Dakota	5	5	0	0
Ohio	1	0	1	0
Pennsylvania	10	10	0	0
Texas	3	1	2	0
Washington	7	7	3	5
Wyoming	1	1	0	0
Totals	182	161	68	33

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**Appendix B**  
**State Tobacco Control Laws**

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**Table 1  
State laws restricting smoking in public places<sup>a</sup>**

	Date Enacted	Arts/Cultural Facilities Child Care Centers Elevators Government Buildings Gymnasiums/Arenas	Health Facilities Interstate Commercial Transit Jury/Courtrooms Meetings	Public Places Public Transit Restaurants Restrooms	Retail/Grocery Stores Schools Shopping Centers Workplace (Private Sector)
Alabama	none				
Alaska	1975	● P	●	● P	● ● ●
Arizona	1973	● P	● ●	● P	● ● ● <sup>b</sup>
Arkansas	1977	● P	●	●	● ● ●
California	1976	● P	● ● <sup>c</sup>	● P ●	● ● ● ●
Colorado	1977	● P	● ●	● P ●	● ● ● ●
Connecticut	1973	● P	● ●	● P ●	● ● ● ●
Delaware	1960	● P	● ●	● P	● ● ● ●
District of Columbia	1975	● P	● ● ●	● P ● ●	● ● ● ●
Florida <sup>e</sup>	1985	● P	● ● ●	● P ● P	● ● P ●
Georgia	1975	● P	● ● ●	● P ● ●	● ● ● ●
Hawaii	1987	● P	● ● ● ●	● P ● ●	● ● ● ●
Idaho	1975	● P	● ● ●	● P ● ●	● ● ● ●
Illinois <sup>f</sup>	1989	● P	● ● ●	● P ● ●	● ● ● ●
Indiana	1987	● P	● ● ●	● P ● ●	● ● ● ●
Iowa	1987	● P	● ● ●	● P ● ●	● ● ● ●
Kansas	1987	● P	● ● ●	● P ● ●	● P ● ●
Kentucky	1972	● P	● ● ●	● P ● ●	● ● ● ●
Louisiana	1992	● P	● ● ●	● P ● ●	● ● ● ●
Maine	1981	● P	● ● ●	● P ● ●	● ● ● ●
Maryland	1957	● P	● ● ●	● P ● ●	● ● P ●
Massachusetts	1988	● ● P	● ● ● ●	● P ● ●	● ● ● ● <sup>d</sup>
Michigan	1968	● P	● ● ● ●	● P ● ●	● ● ● ●
Minnesota	1975	● P	● ● ● ●	● P ● ●	● ● ● ●
Mississippi	1942	● P	● ● ● ●	● P ● ●	● ● ● ●
Missouri	1992	● P	● ● ● ●	● P ● ●	● ● ● ●
Montana	1979	● P	● ● ● ●	● P ● ●	● ● ● ●
Nebraska	1979	● P	● ● ● ●	● P ● ●	● ● ● ●

Footnotes at end of table.

Source: State Legislated Actions on Tobacco Issues, Coalition on Smoking OR Health, 1992.

Table 1 (continued)

	Date Enacted	Arts/Cultural Facilities Child Care Centers Elevators Government Buildings Gymnasiums/Arenas	Health Facilities Interstate Commercial Transit Jury/Courtrooms Meetings	Public Places Public Transit Restaurants Restrooms	Retail/Grocery Stores Schools Shopping Centers Workplace (Private Sector)
Nevada <sup>e</sup>	1975	● ● P ●	● ●	P ●	● <sup>d</sup> ●
New Hampshire	1981	● ● P ● ●	● ● ●	● P ● ●	P P ●
New Jersey <sup>e</sup>	1985	● ● P ● ●	● ● ●	● ● P ● ●	● P ● ●
New Mexico	1985	● ● ● ●	● ● ● ●	● ● ● ●	● ● ● ●
New York	1975	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
North Carolina	none	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
North Dakota	1987	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
Ohio	1981	● ● ● ●	● ● ● ●	● P ● ●	● ● ● ●
Oklahoma <sup>e</sup>	1987	● ● ● ●	● ● ● ●	● P ● ●	● ● ● ●
Oregon	1977	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
Pennsylvania <sup>g</sup>	1977	● ● ● ●	● ● ● ●	● P ● ●	● ● ● ●
Rhode Island	1977	● ● P ● ●	● ● ● ●	● P ● ●	● <sup>d</sup> P ● ●
South Carolina	1937	● ● P ● ●	● ● ● ●	P <sup>b</sup> ● ●	● ● ● ●
South Dakota	1974	● ● P P ● ●	● ● ● ●	P ● ● ●	● ● ● ●
Tennessee	1990	● ● P ● ●	● ● ● ●	P ● ● ●	● ● ● ●
Texas	1975	● ● P ● ●	● ● ● ●	P ● ● ●	● ● ● ●
Utah	1976	● ● P ● ●	● ● ● ●	● P ● ●	● P ● ●
Vermont	1987	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
Virginia <sup>f</sup>	1990	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
Washington	1985	● ● P ● ●	● ● ● ●	● P ● ●	● P ● ●
West Virginia	1913	● ● P ● ●	● ● ● ●	● P ● ●	● ● ● ●
Wisconsin	1983	● ● P ● ●	● ● ● ●	● P ● ●	● P ● ●
Wyoming	1989	● ● P ● ●	● ● ● ●	● P ● ●	● P ● ●

<sup>a</sup> ●, smoking prohibited, except in designated areas; P, smoking prohibited.

<sup>b</sup> Regulation includes school buses.

<sup>c</sup> Regulation prohibits smoking on all intrastate commercial transit.

<sup>d</sup> Regulation governs only grocery stores.

<sup>e</sup> Preempts local regulation.

<sup>f</sup> Preempts local regulation but grandfathers existing ordinances.

<sup>g</sup> Preempts local regulation but grandfathers Pittsburgh's ordinance.

**Table 2**  
**Age restrictions for sale of tobacco products**

	Minimum Age for Cigarettes	Minimum Age for Smokeless Tobacco
Alabama	19	19
Alaska	19	19
Arizona	18	18
Arkansas	18	18
California	18	18
Colorado	18	18
Connecticut	18	18
Delaware	18	18
District of Columbia	18	18
Florida	18	18
Georgia	17	17
Hawaii	18	18
Idaho	18	18
Illinois	18	18
Indiana	18	18
Iowa	18	18
Kansas	18	18
Kentucky	18	18
Louisiana	18	18
Maine	18	18
Maryland	18	18
Massachusetts	18	18
Michigan	18	18
Minnesota	18	18
Mississippi	18	18
Missouri	18	18
Montana	—	—
Nebraska	18	18

Source: State Legislated Actions on Tobacco Issues, *Coalition on Smoking OR Health, 1992.*

Table 2 (continued)

	Minimum Age for Cigarettes	Minimum Age for Smokeless Tobacco
Nevada	18	18
New Hampshire	18	18
New Jersey	18	18
New Mexico	—	18
New York	18	18
North Carolina	18	18
North Dakota	18	18
Ohio	18	18
Oklahoma	18	18
Oregon	18	18
Pennsylvania	21	18
Rhode Island	18	18
South Carolina	18	18
South Dakota	18	18
Tennessee	18	18
Texas	18	18
Utah	19	19
Vermont	18	18
Virginia	18	18
Washington	18	18
West Virginia	18	18
Wisconsin	18	18
Wyoming	18	18

**Table 3**  
**Restrictions on tobacco sales through vending machines, by State**

	Sign Posting	Restrictions on Placement	Total Ban
Alaska		●	
Arkansas	●	●	
Colorado	●	●	● <sup>a</sup>
Connecticut	●	●	
District of Columbia		●	
Florida		●	
Georgia	●		
Hawaii	●	●	
Illinois	● <sup>b</sup>		
Indiana	●	●	
Iowa		● <sup>c, d</sup>	
Louisiana	●		
Maine		●	
Maryland	●		
Massachusetts	●		
Michigan		●	
Minnesota	●	●	
Missouri	●		
Nebraska		●	
New Hampshire	●		
New Mexico	● <sup>a</sup>	● <sup>a</sup>	
New York		●	
Ohio		●	
Oregon		● <sup>c</sup>	
Rhode Island	●		
South Dakota	●		
Texas	●		
Utah	●	●	
Vermont	●	●	
Virginia	●		
Wisconsin	●	● <sup>c</sup>	
Wyoming	●	●	

<sup>a</sup> Smokeless tobacco products only.

<sup>b</sup> Mandates signs warning of the dangers of cigarette use during pregnancy. (Not restricting youth access.)

<sup>c</sup> Preempts power of localities to pass stronger ordinances.

<sup>d</sup> Placement is not restricted, but lockout devices are required on machines in areas accessible to youth.

Source: State Legislated Actions on Tobacco Issues, Coalition on Smoking OR Health, 1992.

**Table 4**  
**Restrictions on distribution of tobacco product samples, by State**

	Date Enacted	Total Ban	Public Places Only	Minors Only	Smokeless Tobacco Only
Arkansas	1991			●	
California	1991		●		
Georgia	1987			●	
Illinois	1988			●	
Indiana	1987			●	
Iowa	1991			●	
Kansas	1984			● <sup>a</sup>	
Kentucky	1992			●	
Louisiana	1988			●	
Maine	1983			●	
Minnesota	1986,1987	●			
Missouri	1992			●	
Nebraska	1989				●
New Hampshire	1987			●	
New York	1992			●	
Oregon	1989			●	
Pennsylvania	1990			●	
Rhode Island	1988			●	
Utah	1983, 1986, 1989	●			
Wisconsin	1989			●	
Wyoming	1991			●	

<sup>a</sup> Applies to cigarettes only.

Source: State Legislated Actions on Tobacco Issues, *Coalition on Smoking OR Health, 1992.*



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**Appendix C**  
**Model Local Ordinances**

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**Model Ordinance Eliminating Smoking  
In Workplaces and Enclosed Public Places  
(100% Smokefree Ordinance)<sup>1</sup>**

Sec. 1000. Title

This article shall be known as the Smoking Pollution Control Ordinance.

Sec. 1001. Findings and Purpose

The City Council does hereby find that:

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease, including lung cancer, in nonsmokers. At special risk are elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and

Health hazards induced by breathing secondhand smoke include lung cancer, heart disease, respiratory infection, decreased respiratory function, bronchoconstriction, and bronchospasm.

Accordingly, the City Council finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places and places of employment; and (2) to guarantee the right of nonsmokers to breathe smokefree air, and to recognize that the need to breathe smokefree air shall have priority over the desire to smoke.

Sec. 1002. Definitions

The following words and phrases, whenever used in this article, shall be construed as defined in this section:

1. "Bar" means an area which is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of such beverages. Although a restaurant may contain a bar, the term "bar" shall not include the restaurant dining area.
2. "Business" means any sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.

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<sup>1</sup> Developed by Americans for Nonsmokers' Rights, 2530 San Pablo Avenue, Suite J, Berkeley, CA 94702, (510) 841-3032. Used with permission.

3. "Employee" means any person who is employed by any employer in the consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
4. "Employer" means any person, partnership, corporation, including a municipal corporation, or non-profit entity who employs the services of one or more individual persons.
5. "Enclosed Area" means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passageways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, "office landscaping," or similar structures.
6. "Place of Employment" means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including but not limited to work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias, and hallways. A private residence is not a "place of employment" unless it is used as a child care or health care facility.
7. "Public Place" means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, health facilities, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms. A private residence is not a "public place."
8. "Restaurant" means any coffee shop, cafeteria, sandwich stand, private [or] public school cafeteria, and any other eating establishment which gives or offers for sale food to the public, guests, or employees, as well as kitchens in which food is prepared on the premises for serving elsewhere, including catering facilities, except that the term "restaurant" shall not include a cocktail lounge or tavern if said cocktail lounge or tavern is a "bar" as defined in Section 1002(1).
9. "Retail Tobacco Store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.
10. "Service Line" means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
11. "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, weed, or other plant in any manner or in any form.
12. "Sports Arena" means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Sec. 1003. Application of Article to City-Owned Facilities

All enclosed facilities owned by the City of \_\_\_\_\_ shall be subject to the provisions of this article.

Sec. 1004. Prohibition of Smoking in Public Places

A. Smoking shall be prohibited in all enclosed public places within the City of \_\_\_\_\_, including but not limited to the following places, and with the following exceptions:

1. Elevators.
2. Buses, taxicabs, and other means of public transit under the authority of the City of \_\_\_\_\_, and ticket, boarding, and waiting areas of public transit depots.
3. Restrooms.
4. Service lines.
5. Retail stores.
6. All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to attorneys offices and other offices, banks, laundromats, hotels, and motels.
7. Restaurants.
8. Public areas of aquariums, galleries, libraries, and museums when open to the public.
9. Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital, or other similar performance, except when smoking is part of a stage production.
10. Sports arenas and convention halls.
11. Every room, chamber, place of meeting or public assembly, including school buildings, under the control of any board, council, commission, committee, including joint committees, or agencies of the City or any political subdivision of the State during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the City.
12. Waiting rooms, hallways, wards and semiprivate rooms of health facilities, including but not limited to hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.

13. Lobbies, hallways, and other common areas in apartment buildings, condominiums, retirement facilities, nursing homes, and other multiple-unit residential facilities.

14. Lobbies, hallways, and other common areas in multiple-unit commercial facilities.

15. Polling places.

B. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment or facility may declare that entire establishment or facility as a nonsmoking establishment.

Sec. 1005. Regulation of Smoking in Places of Employment

A. It shall be the responsibility of employers to provide a smokefree workplace for all employees, but employers are not required to incur any expense to make structural or other physical modifications.

B. Within 90 days of the effective date of this article, each employer having an enclosed place of employment located within the city shall adopt, implement, make known, and maintain a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

C. The smoking policy shall be communicated to all employees within three (3) weeks of its adoption.

D. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

Sec. 1006. Where Smoking Not Regulated

A. Notwithstanding any other provision of this article to the contrary, the following areas shall not be subject to the smoking restrictions of this article:

1. Bars.

2. Private residences, except when used as child care or health care facilities.

3. Retail tobacco stores.

4. Restaurants, hotel and motel conference or meeting rooms, and public and private assembly rooms while these places are being used for private functions.

- B. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment described in this section may declare that entire establishment as a nonsmoking establishment.

Sec. 1007. Posting of Signs

- A. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently, and conspicuously posted in every building or other place where smoking is regulated by this article, by the owner, operator, manager, or other person having control of such building or other place.
- B. Every restaurant shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

Sec. 1008. Enforcement

- A. Enforcement of this article shall be implemented by the Department of Health [or the City Manager].
- B. Any citizen who desires to register a complaint under this chapter may initiate enforcement with the Department of Health [or the City Manager].
- C. The Fire Department or the Health Department shall require, while an establishment is undergoing otherwise mandated inspections, a "self-certification" from the owner, manager, operator, or other person having control of such establishment that all requirements of this article have been complied with.
- D. Any owner, manager, operator, or employee of any establishment regulated by this article may inform persons violating this article of the appropriate provisions thereof.
- E. Notwithstanding any other provision of this article, a private citizen may bring legal action to enforce this article.

Sec. 1009. Violations and Penalties

- A. It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to regulation under this article to fail to comply with any of its provisions.
- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this article.
- C. Any person who violates any provision of this article shall be guilty of an infraction, punishable by:
  - 1. A fine not exceeding one hundred dollars (\$100) for a first violation.

2. A fine not exceeding two hundred dollars (\$200) for a second violation of this article within one (1) year.
3. A fine not exceeding five hundred dollars (\$500) for each additional violation of this article within one (1) year.

**Sec. 1010. Nonretaliation**

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any right to a smokefree environment afforded by this article.

**Sec. 1011. Public Education**

The Department of Health [or City Manager] shall engage in a continuing program to explain and clarify the purposes and requirements of this ordinance to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. Such program may include publication of a brochure for affected businesses and individuals explaining the provisions of this ordinance.

**Sec. 1012. Other Applicable Laws**

This article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

**Sec. 1013. Severability**

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**Sec. 1014. Effective Date**

This article shall be effective thirty (30) days from and after the date of its adoption and shall be reviewed within one year of its effective date.



**Model Smoking Ordinance  
(Partial Ban)<sup>2</sup>**

Sec. 1000. Title

This article shall be known as the Smoking Pollution Control Ordinance.

Sec. 1001. Findings and Purpose

The City Council does hereby find that:

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution; and

Reliable studies have shown that breathing secondhand smoke is a cause of disease, including lung cancer, in healthy nonsmokers. At special risk are elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and

Health hazards induced by breathing secondhand smoke include lung cancer, heart disease, respiratory infection, decreased respiratory function, bronchoconstriction, and bronchospasm; and

Accordingly, the City Council finds and declares that the purposes of this ordinance are (1) to protect the public health and welfare by prohibiting smoking in public places except in designated smoking areas, and by regulating smoking in places of employment; and (2) to strike a reasonable balance between the needs of persons who smoke and the need of nonsmokers to breathe smokefree air, and to recognize that, where these needs conflict, the need to breathe smokefree air shall have priority.

Sec. 1002. Definitions

The following words and phrases, whenever used in this article, shall be construed as defined in this section:

1. "Bar" means an area which is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of such beverages. Although a restaurant may contain a bar, the term "bar" shall not include the restaurant dining area.
2. "Business" means any sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.

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<sup>2</sup>Developed by Americans for Nonsmokers' Rights, 2530 San Pablo Avenue, Suite J, Berkeley, CA 94702, (510) 841-3032. Used with permission.

3. "Employee" means any person who is employed by any employer in the consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
4. "Employer" means any person, partnership, corporation, including a municipal corporation, or non-profit entity, who employs the services of one or more individual persons.
5. "Enclosed Area" means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door- or passageways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, "office landscaping," or similar structures.
6. "Place of Employment" means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias, and hallways.
  - a. A private residence is not a "place of employment" unless it is used as a child care or health care facility.
  - b. The dining area of a restaurant is not a "place of employment."
7. "Public Place" means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, health facilities, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms. A private residence is not a "public place."
8. "Restaurant" means any coffee shop, cafeteria, sandwich stand, private [or] public school cafeteria, and any other eating establishment which gives or offers for sale food to the public, guests, or employees, as well as kitchens in which food is prepared on the premises for serving elsewhere, including catering facilities, except that the term "restaurant" shall not include a cocktail lounge or tavern if said cocktail lounge or tavern is a "bar" as defined in section 1002(1).
9. "Service Line" means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
10. "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, weed, or other plant in any manner or in any form.
11. "Sports Arena" means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Sec. 1003. Application of Article to City-Owned Facilities

All enclosed facilities owned by the City of \_\_\_\_\_ shall be subject to the provisions of this article.

Sec. 1004. Prohibition of Smoking in Public Places

A. Smoking shall be prohibited in all enclosed public places within the City of \_\_\_\_\_, including, but not limited to, the following places, and with the following exceptions:

1. Elevators.
2. Buses, taxicabs, and other means of public transit under the authority of the City of \_\_\_\_\_, and ticket, boarding, and waiting areas of public transit depots.
3. Restrooms.
4. Service lines.
5. Retail stores, except areas in said stores not open to the public and all areas within retail tobacco stores.
6. All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to attorneys offices and other offices, banks, laundromats, hotels, and motels.
7. Restaurants [provided, however, that this prohibition does not prevent (a) the designation of a contiguous area within a restaurant that contains a maximum of twenty-five percent (25%) of the seating capacity of the restaurant as a smoking area or (b) the providing of separate rooms for smokers and nonsmokers so long as the rooms designated for smoking do not contain more than twenty-five percent (25%) of the seating capacity of the restaurant].
8. Public areas of aquariums, galleries, libraries, and museums when open to the public.
9. Any building not open to the sky which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital, or other similar performance, except when smoking is part of a stage production.
10. Sports arenas and convention halls.
11. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of the City or any political subdivision of the State, during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the City.

12. Waiting rooms, hallways, wards, and private or semiprivate rooms of health facilities, including but not limited to hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.
  13. Lobbies, hallways, and other common areas in apartment buildings, condominiums, retirement facilities, nursing homes, and other multiple-unit residential facilities.
  14. Lobbies, hallways, and other common areas in multiple-unit commercial facilities.
  15. Polling places.
- B. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment or facility described in this section may declare that entire establishment or facility as a nonsmoking establishment.

Sec. 1005. Regulation of Smoking in Places of Employment

- A. It shall be the responsibility of employers to provide smokefree areas for nonsmoking employees within existing facilities to the maximum extent possible, but employers are not required to incur any expense to make structural or other physical modifications in providing these areas.
- B. Within 90 days of the effective date of this article, each employer having an enclosed place of employment located within the City shall adopt, implement, make known, and maintain a written smoking policy which shall contain at a minimum the following requirements:
1. Any employee in a place of employment shall have the right to designate his or her work area as a nonsmoking area and to post the same with an appropriate sign or signs, to be provided by the employer.
  2. Smoking shall be prohibited in all common work areas in a place of employment, unless every person who works in that area agrees in writing that a smoking area will be designated.
  3. Prohibition of smoking in auditoriums, classrooms, conference and meeting rooms, elevators, hallways, medical facilities, lounges, cafeterias, and restrooms.
  4. In any dispute arising under the smoking policy, the health concerns of the nonsmoker shall be given precedence.
- C. The smoking policy shall be communicated to all employees within three (3) weeks of its adoption.
- D. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

- E. Notwithstanding any other provision of this section, every employer shall have the right to designate any place of employment, or any portion thereof, as a nonsmoking area.

Sec. 1006. Where Smoking Not Regulated

- A. Notwithstanding any other provision of this article to the contrary, the following areas shall not be subject to the smoking restrictions of this article:
  - 1. Bars.
  - 2. Private residences, except when used as child care or health care facilities.
  - 3. Hotel and motel rooms rented to guests.
  - 4. Retail tobacco stores.
  - 5. Restaurants, hotel and motel conference or meeting rooms, and public and private assembly rooms while these places are being used for private functions.
- B. Notwithstanding any other provision of this section, any owner, operator, manager, or other person who controls any establishment described in this section may declare that entire establishment as a nonsmoking establishment.

Sec. 1007. Posting of Signs

- A. "Smoking" or "No Smoking" signs, whichever are appropriate, with letters of not less than one inch (1") in height or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently, and conspicuously posted in every building or other place where smoking is regulated by this article, by the owner, operator, manager, or other person having control of such building or other place.
- B. Every restaurant shall have posted at every entrance a conspicuous sign clearly stating that a nonsmoking section is available, and every patron shall be asked his or her preference.

Sec. 1008. Enforcement

- A. Enforcement of this article shall be implemented by the Department of Health [or the City Manager].
- B. Any citizen who desires to register a complaint under this chapter may initiate enforcement with the Department of Health [or the City Manager].
- C. The Fire Department or the Health Department shall require, while an establishment is undergoing otherwise mandated inspections, a "self-certification" from the owner, manager, operator, or other person having control of such establishment that all requirements of this article have been complied with.

- D. Any owner, manager, operator, or employee of any establishment regulated by this article may inform persons violating this article of the appropriate provisions thereof.
- E. Notwithstanding any other provision of this article, a private citizen may bring legal action to enforce this article.

**Sec. 1009. Violations and Penalties**

- A. It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to regulation under this article to fail to comply with any of its provisions. The owner, manager, or operator of a restaurant shall not be deemed in violation of Sec. 1007 (B) if the host or hostess of the restaurant fails to ask the seating preference of patrons, but shall be deemed in violation thereof if the restaurant has no stated policy requiring that patrons be asked their preference.
- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this article.
- C. Any person who violates any provision of this article shall be guilty of an infraction, punishable by:
  - 1. A fine not exceeding one hundred dollars (\$100) for a first violation.
  - 2. A fine not exceeding two hundred dollars (\$200) for a second violation of this article within one (1) year.
  - 3. A fine not exceeding five hundred dollars (\$500) for each additional violation of this article within one (1) year.

**Sec. 1010. Nonretaliation**

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any right to a smokefree environment afforded by this article.

**Sec. 1011. Governmental Agency Cooperation**

The City Manager shall annually request other governmental and educational agencies having facilities within the City of \_\_\_\_\_ to establish local operating procedures in cooperation and compliance with this article.

**Sec. 1012. Other Applicable Laws**

This article shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

**Sec. 1013. Severability**

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**Sec. 1014. Effective Date**

This article shall be effective thirty (30) days from and after the date of its adoption, and shall be reviewed within one year of its effective date.

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## **Model Tobacco Vending Machine Ordinance<sup>3</sup>**

### **Sec. 1000. Title**

This ordinance shall be known as the Tobacco Vending Machine Ordinance.

### **Sec. 1001. Findings and Purpose**

The City Council does hereby find that:

Smoking is responsible for the premature deaths of 434,000 Americans each year from lung cancer, heart disease, respiratory illness, and other diseases; and

The U.S. Surgeon General has declared that nicotine is as addictive as cocaine or heroin, and children can become addicted to these products through easy purchase from tobacco vending machines;

Accordingly, the City Council finds that prohibiting tobacco vending machines is necessary to protect the health and welfare of the public.

### **Sec. 1002. Definitions**

“Tobacco Vending Machine” means any machine or device designated for or used for the vending of cigarettes, cigars, tobacco, or tobacco products upon the insertion of coins, trade checks, or slugs.

### **Sec. 1003. Tobacco Vending Machines Prohibited**

No cigarette or other tobacco product may be sold, offered for sale, or distributed by or from a vending machine or other appliance, or any other device designed or used for vending purposes.

### **Sec. 1004. Enforcement**

Violations of this ordinance are subject to a fine of \$1,000 per day for each violation. The City Manager and City Attorney shall enforce this ordinance.

### **Sec. 1005. Severability**

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

### **Sec. 1006. Effective Date**

This article shall be effective thirty (30) days from and after the date of its adoption.

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## **Model Tobacco Free Sampling Ordinance<sup>4</sup>**

### Sec. 1000. Title

This ordinance shall be known as the Tobacco Free Sampling Ordinance.

### Sec. 1001. Findings and Purpose

The City Council does hereby find that:

Smoking is responsible for the premature deaths of 434,000 Americans each year from lung cancer, heart disease, respiratory illness, and other diseases; and

The U.S. Surgeon General has declared that nicotine is as addictive as cocaine or heroin, and children can become addicted to these products through the use of free tobacco samples;

Accordingly, the City Council finds that prohibiting the distribution of free cigarette samples or coupons is essential to protect the health and welfare of the public.

### Sec. 1002. Definitions

1. "Public Place" means any area to which the public is invited or in which the public is permitted, including but not limited to any right-of-way, mall or shopping center, park, playground, and any other property owned by the City, any school district, or any park district.
2. "Retail Tobacco Store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

### Sec. 1003. Tobacco Samples Prohibited

No person shall knowingly distribute or furnish without charge, or cause to be furnished or distributed without charge, cigarettes or other tobacco products, or coupons for cigarettes or other tobacco products, in any public place or at any event open to the public, except in retail tobacco stores.

### Sec. 1004. Enforcement

Violations of this ordinance are subject to a fine of \$1,000 per day for each violation. The City Manager and City Attorney may enforce this ordinance, and the Police Department shall also have the authority to issue citations for violations.

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<sup>4</sup> Developed by Americans for Nonsmokers' Rights, 2530 San Pablo Avenue, Suite J, Berkeley, CA 94702 (510) 841-3032. Used with permission.

**Sec. 1005. Severability**

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

**Sec. 1006. Effective Date**

This article shall be effective thirty (30) days from and after the date of its adoption.

## **Model Sale of Tobacco to Minors Ordinance<sup>5</sup>**

### Section 1000. Title

This ordinance shall be known as the Sale of Tobacco to Minors Ordinance.

### Section 1001. Purpose

The City Council [or Board of Supervisors] finds cigarette smoking and other tobacco use by minors to be a continuing problem with grave public health consequences. In recognition of the Surgeon General's conclusion that nicotine is as addictive as cocaine or heroin, action is needed to curtail the easy access of minors to cigarettes and other tobacco products. Therefore, the purpose of this ordinance is to implement a strict and enforceable system to prevent the illegal sale of cigarettes and other tobacco products to minors.

### Section 1002. Definitions

- A. "Public Place" means any area to which the public is invited or in which the public is permitted, including but not limited to any right-of-way, mall or shopping center, park, playground, and any other property owned by the City, and any school district, or any park district.
- B. "Retail Tobacco Store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.
- C. "Tobacco Vending Machine" means any machine or device designated for or used for the vending of cigarettes, cigars, tobacco, or tobacco products upon the insertion of coins, trade checks, or slugs.

### Section 1003. Identification Required

No retailer shall sell or permit to be sold cigarettes or other tobacco products to an individual without requesting and examining identification establishing the purchaser's age as 18 years or greater, unless the seller has some other conclusive basis for determining the buyer's age.

### Section 1004. License Required

After [specify date], it shall be unlawful for a retailer to sell cigarettes or other tobacco products unless that retailer holds and maintains a valid license from the City [or County] for each location in which tobacco products are sold. The term of the license shall be three years if the licensee complies with the provisions of this chapter.

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**Section 1005. Revocation of License**

A license shall be suspended after notice and opportunity to be heard as follows:

- A. In the case of a first violation, the licensee shall be fined two hundred dollars (\$200) and shall be notified in writing of penalties levied for further violations.
- B. In the case of a second violation, the licensee shall be fined five hundred dollars (\$500) and the license shall be suspended for not less than ninety consecutive business days nor more than six months.
- C. In the case of three or more violations, the licensee shall be fined one thousand dollars (\$1,000) and the license shall be revoked not less than nine months nor more than eighteen months from the date of revocation.

**Section 1006. Fee**

The fee for a three-year tobacco retailer's license is three hundred dollars (\$300) for each tobacco retail location.

**Section 1007. Non-transferability**

A tobacco retail license is non-transferable, except a new license will be issued to a tobacco retailer who changes location.

**Section 1008. Vending Machines**

After [specify date], cigarette vending machines or any other devices for the sale or distribution of tobacco products are prohibited.

**Section 1009. Out-of-Package Sales Prohibited**

It is unlawful to sell cigarettes out of the manufacturer's package with required health warnings.

**Section 1010. Tobacco Samples Prohibited**

No person shall knowingly distribute or furnish without charge, or cause to be furnished or distributed without charge, cigarettes or other tobacco products, or coupons for cigarettes or other tobacco products, in any public place or at any event open to the public, except in retail tobacco stores.

**Section 1011. Enforcement**

Violations of Sections 1008, 1009, [or] 1010 of this ordinance are subject to a fine of \$1,000 per day for each violation. The City Attorney and City Manager may enforce this ordinance, and the Police Department shall also have the authority to issue citations for violations of Section 1010.

**Section 1012. Severability**

If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, such invalidity shall not affect the provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

**Section 1013. Effective Date**

This chapter shall take effect on [specify date].

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