



January 9, 2012

CROWN HARBOR HOMEOWNERS ASSOCIATION
Massingham & Associates
2247 National Blvd.
Hayward, CA 94545

Re: Alameda's New Smoke-Free Housing Laws

Dear Sir or Madam,

To protect residents from the health hazards of secondhand smoke exposure, the Alameda City Council adopted a comprehensive ordinance that includes multi-unit residential housing, most public outdoor areas, and workplaces. The provisions of the ordinance related to common areas of multi-unit housing, public outdoor areas, and workplaces became effective on January 2, 2012.

Attached is a one-page summary of the multi-unit housing provisions that are now in effect. Please be aware of the following immediate requirements for landlords and homeowners associations:

1. Posting of clear and unambiguous "No Smoking" signage in common areas (signs can be downloaded from the City's website at www.cityofalamedaca.gov/Residents/Secondhand-Smoke-Policies).
2. All new leases initiated after Jan. 2, 2012, must include non-smoking provisions.
3. All common areas are now non-smoking.
4. Smoking is prohibited within 20 feet of windows, doors, and vents of enclosed areas where smoking is prohibited.

Effective January 1, 2013, smoking will no longer be allowed in apartment and common interest complex (condos, planned unit developments, and co-ops) units.

Please review the attached summary for more important details. The City will be holding several training events on the new ordinance beginning in March. Additional updates will be forthcoming. If you have any questions after reviewing these materials, please contact Terri Wright, (510) 747-4884, twright@ci.alameda.ca.us.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Russo".

John A. Russo

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City of Alameda Secondhand Smoke Ordinance Fact Sheet Multi-Unit Housing Provisions

To protect Alameda residents from the health hazards of secondhand smoke, the Alameda City Council has adopted a Secondhand Smoke Ordinance, which took effect on January 2, 2012. This fact sheet highlights the provisions of the ordinance pertaining to multi-unit housing. Additional information, including a copy of the ordinance and free downloadable "No Smoking" signs, is available on the City's website at:

www.cityofalamedaca.gov/Residents/Secondhand-Smoke-Policies

In multi-unit housing (defined as two or more units), smoking is prohibited as follows:

- All common areas of rental and common interest complexes (condos, planned unit developments, co-ops).
- Within 20 feet of windows, doors, and vents of enclosed areas where smoking is prohibited (smoking buffer zones).
- 100% of new units of rental and common interest complexes, including balconies, porches, and decks.
- In all units, including porches, balconies, and decks, of newly leased units after January 2, 2012.
- Beginning on January 1, 2013, smoking will be prohibited inside units, including porches, balconies, and decks of all rental and common interest complexes.

Responsibilities of landlords and homeowners associations:

1. Clearly and conspicuously post "No Smoking" signs in common areas, at every entrance, and on every floor where smoking is prohibited.
2. Remove all ashtrays and/or other receptacles for disposing of smoking material from any area where smoking is prohibited.
3. Do not knowingly allow smoking in prohibited areas.
4. Include non-smoking clauses in leases or other agreements for occupancy. The clauses must state that smoking is prohibited in the unit, and that it is a material breach of the lease to violate any law regulating smoking while on the premises. (The California Apartment Association's form 34.0 satisfies these requirements-www.caanet.org. Please note that membership is required to access this form.)
5. Include non-smoking clauses in leases executed after January 2, 2012, for all newly leased units. Beginning January 1, 2013, all leases must contain the non-smoking clauses.
6. Comply with all requirements of Section 24-12.5 of the ordinance if the option to have a designated outdoor smoking area is chosen.
7. Maintain a diagram that illustrates non-smoking areas, and the precise location of designated smoking areas, if applicable. This diagram must also accompany leases and agreements for occupancy beginning January 1, 2013.
8. Disclose to prospective buyers of units in common interest complexes the smoking policy of the complex, and that smoking will be prohibited in the unit beginning January 1, 2013.