

# Anti-Smoking Ordinance Enforcement

## California Labor Code 6404.5

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Los Angeles Fire Department provides local enforcement of the California Labor Code 6404.5 that bans smoking in places of employment with the exception of tobacco shops and private residences. Enforcement starts with a telephone call to the City of Los Angeles Anti-Smoking Ordinance Hotline at: **(213) 978-3568**.

Following the first complaint to this telephone hotline, a letter will be sent to the business owner, explaining the **State Law**. If a second complaint is received, a field investigation by a [Los Angeles Fire Department](#) Inspector will be initiated.

Please note: The Los Angeles Fire Department is not able to accept, process or forward smoking complaints received via e-mail or at Neighborhood Fire Stations. Specially trained staff at LAFD Headquarters handle all enforcement actions regarding the California Anti-Smoking Labor Code.

**To initiate enforcement please call:**

**(213) 978-3568**

In order to ensure proper coordination and documentation of enforcement efforts, all smoking violations and/or complaints must be directed to the Hotline. We emphatically remind you:

**DO NOT CALL 9-1-1- TO REPORT A SMOKING VIOLATION**

## INFORMATION AND OTHER RELATED INFORMATION

### How will a violation of the California Anti-Smoking Ordinance affect a business or patron?

If a business owner does not comply with the California Anti-Smoking Ordinance, they will be cited and scheduled for an administrative hearing. Likewise, a customer or non-employee may also be cited for smoking in a banned location.

*For the business*, fines are a maximum of \$100 for the first infraction, \$200 for the second infraction and \$500 for the third. [Cal-OSHA](#) may then step in, issuing up to a \$7,000 fine.

*For a patron* found in violation of the law, fines range from \$81 to \$324.

Making money through fines is not the intent of enforcers. Compliance with **State Law** is the goal.

### NO SMOKING IN OUTDOOR DINING AREAS

Los Angeles Municipal Code Section 41.50 B 18 b.

As of March 8, 2011 The City of Los Angeles adopted Municipal Code 41.50 B 18 b that prohibits smoking in outdoor dining areas and requires posting of “No Smoking” signs in outdoor dining areas.

Violations of the ordinance are infractions. Citations will be issued to patrons, business owners, and managers who violate any provision of the LAMC 41.50 B 18 b

In order to comply with the law, all business owners and managers of outdoor dining areas should:

- Notify employees about the new provision of the law.
- Request patrons who are smoking in an outdoor dining area to immediately refrain from smoking and inform them that they are subject to penalty under the law.
- Post permanent “No Smoking” signs in your outdoor dining area that comply with the requirements set forth in the LAMC 41.50 B 18 b.

For more information and free downloadable signs about the new law visit:

[www.freshairdiningla.com](http://www.freshairdiningla.com) --or-- the Los Angeles County Tobacco Control and Prevention Program website at [www.lapublichealth.org/tob/](http://www.lapublichealth.org/tob/)

## **SMOKING IN ENTRANCES OR DOORWAYS**

California Government Code Sections 7596-7598

Smoking is prohibited:

- In an outdoor area within 20 feet of a main exit, entrance, operable window, or inside of a public building owned and occupied, or leased and occupied, by the state, a county, a city, a city and county, or a California community college district.
- In a passenger vehicle owned by the state.

## **HOOKAH SMOKING**

“California state law prohibits smoking tobacco in any form, flavored or unflavored, in a water pipe, cigarette, or cigar, unless the venue is proven to be owner operated, or is bona fide retail or Tobacco Shop.”