



CITY OF PLEASANT HILL

The City of Pleasant Hill is contemplating a smoking ordinance that would prohibit smoking within 20 feet of a private business and smoking in parks. Several cities, including Milpitas and Calabasas, recently approved similar ordinances.

I conducted research with a number of other cities, specifically the cities of Davis, Milpitas, Healdsburg, Woodland, National City, Stockton, Arcata, Berkeley, Carmel, South Pasadena, Corte Madera, Capitola, Scotts Valley, Oakland and Beverly Hills, to determine what enforcement issues exist for their Departments. Some banned smoking 20-25 feet from buildings, restaurants, sports facilities and some have prohibited smoking in public parks and other public places.

All Departments that have similar ordinances respond to specific citizen complaints of smoking in prohibited areas and do not take proactive enforcement measures. They state that they do not have staff time to enforce the ordinance beyond a specific complaint. Most often, the violator has left before the arrival of law enforcement. Other times, law enforcement has issued warnings and used the time to educate the violator about the city ordinance and they had no more contact with that individual. All cities have posted signs in the prohibited areas to prohibit smoking.

If smoking was prohibited in public parks, the city may want to consider not applying this to public golf courses, as other cities have kept them out of their ordinances (San Francisco and Healdsburg).

The Department recommends a similar approach to enforcement as the abovementioned cities. We should respond to each citizen complaint and rely on the responding officer's discretion in determining the best enforcement action. In the case of other agencies as well as ours, there would likely be too many potential violators for the Department to deal with and it would take away from their more serious duties. Habitual violators would be cited as a means of mitigating the problem but public education and warnings would reduce the majority of complaints.