



Berkeley's Tobacco Control Policies

All laws include provisions for enforcement

Secondhand Smoke Berkeley Municipal Code 12.70

- Bans smoking in all indoor worksites and in outdoor worksites with more than two employees.
- Bans smoking on sidewalks in all commercial zones.
- Bans smoking in recreational areas, such as parks, athletic fields, hiking trails, bike paths and in other outdoor venues such as stadiums and parking garages.
- Bans smoking within 25 feet of doorways, windows, and vents of any building open to the public and within 25 feet of bus stops and other transit stops, service areas such as at ATMs, ticket lines, and cab stands.
- Bans smoking within 50 feet of any building used as a health care facility, hospital, licensed child or adult-care facility or senior center.
- Bans smoking in common areas of multi-unit housing.
- Bans smoking in bingo and gaming parlors.
- Bans smoking inside all public transit, including taxis, while operating in Berkeley.

Youth Access Berkeley Municipal Code 13.62

- Bans self-service displays for all tobacco products.
- Bans the distribution, without charge or for a nominal charge, in any building open to the public, of any tobacco product sample, tobacco coupon or certificate or any tobacco accessory.
- Bans tobacco vending machines.

Restrictions on Tobacco Retailers Berkeley Municipal Code 9.80

- Requires tobacco retailers have an annual tobacco retail license to sell tobacco.

Conditional Use Permits Berkeley Municipal Code 23 E and F- Zoning

- Prohibits new tobacco retailers from locating within 1,400 feet of schools and parks.

Owners and managers of buildings open to the public must post “No Smoking” sign on their buildings, as follows:

1) Buildings open to the public, located in any commercial zone, must post a sign stating: **“No Smoking in this Commercial Zone”**

2) Buildings open to the public, which are not located in one of the zones noted below, must post a sign stating: **“No Smoking within 25 feet of Doorways, Operable Windows or Vents”**

3) Hospitals, health facilities (including doctor's offices), mental health facilities, licensed childcare centers and senior centers must post a sign stating: **“No Smoking within 50 feet of Doorways, Operable Windows or Vents”**