



OFFICE OF THE  
CITY MANAGER

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
915 I STREET  
5TH FLOOR  
SACRAMENTO, CA  
95814-2604

PH 916-808-5704  
FAX 916-808-7618

## MEMORANDUM

**DATE:** November 13, 2009

**TO:** Department Directors and Division Managers

**FROM:** Ray Kerridge, City Manager

**SUBJECT:** **SMOKE-FREE WORKPLACE**

Tobacco smoke is a recognized hazard for all individuals, smokers and non-smokers, who inhale the smoke. On December 1, 1990, the City of Sacramento adopted a Smoke-Free Workplace Policy which applies to all City facilities. In 2002, the City Council approved Ordinance 2002-027 which prohibits smoking in all City buildings and within twenty feet of any opening to a City building. At this time, I am extending the smoke-free requirement to prohibit smoking in City-owned vehicles or other City-owned mobile equipment.

Effective November 16, 2009, individuals (employees, contractors, vendors, visitors or guests) are not permitted to smoke in the workplace. The workplace includes, but is not limited to, buildings, vehicles, equipment (including light and heavy duty trucks, cargo and passenger vans, buses, and any other mobile equipment with an enclosed driver/ passenger compartment), or other areas where work activities are being performed. Smoking is not prohibited in designated smoking areas. Where a smoking area is not officially designated, employees who wish to smoke may do so at a minimum distance of 20 feet from the entrance or air intake of the workplace as defined above. For outside workplaces, such as construction sites, individuals, as defined above, must be 20 feet from work and/or break areas when smoking.

All visibly defined work areas, such as buildings and vehicles, are to be clearly marked as no smoking areas. However, the absence of a no smoking sign does not constitute permission to smoke where it is otherwise prohibited.

Employees are expected to report violations of the City of Sacramento Smoke-Free Workplace Policy to their Supervisor. Failure to comply with the City of Sacramento Smoke-Free Workplace Policy will result in discipline, up to and including termination of employment.

Thank you for your cooperation in ensuring that the City of Sacramento is a healthy place to work.



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DEPARTMENT OF  
ADMINISTRATIVE SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

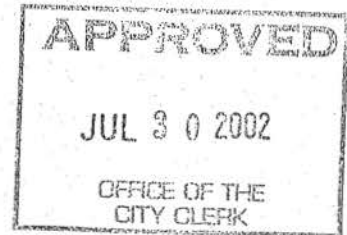
921 TENTH STREET  
ROOM 401  
SACRAMENTO, CA  
95814-2713

ADMINISTRATION  
DIVISION

PH: 916-264-5270

July 9, 2002

City Council  
Sacramento, California



Honorable Members in Session:

**SUBJECT:** Prohibition of Smoking at Entrances to City Buildings

**LOCATION/COUNCIL DISTRICT:** All

**RECOMMENDATIONS:**

The Law & Legislation Committee recommends that the City Council adopt the attached ordinance, prohibiting smoking within 20 feet of the entrances to all City owned and operated buildings except with respect to the primary entrance, the City Manager shall have authority to grant an exemption from subsection B at ticketed or controlled events and amends City Code Section 8.80 to comply with current State law.

**CONTACT PERSON:** Michael L. Medema, Special Projects Manager, (916) 264-1915

**FOR CITY COUNCIL MEETING OF:** July 30, 2002

**SUMMARY:**

The Law & Legislation Committee recommends that the City Council adopt the attached ordinance, prohibiting smoking within 20 feet of the entrances to all City owned and operated buildings except with respect to the primary entrance, the City Manager shall have authority to grant an exemption from subsection B at ticketed or controlled events and amends Section 8.80 to comply with current State law.

## **COMMITTEE ACTION:**

On July 18, 2002 the Law and Legislation Committee voted to recommend that the City Council adopt the attached ordinance that prohibits smoking within 20 feet of City buildings.

## **BACKGROUND AND ANALYSIS:**

The Mayor requested staff to develop a policy for City Council consideration that prohibits smoking within 20 feet from the entrances to City owned and/or operated buildings.

The City of Davis California adopted an ordinance on February 24, 1993, which prohibits smoking within 20 feet of the entrances to all buildings open to the public. Currently, the penalty for violation of this ordinance is an infraction. The ordinance requires that owners of buildings open to the public post signs in areas designated as non-smoking or smoking permitted as appropriate. The City of Davis reports that it has experienced very few cases where a citation was necessary. In most instances, the violators voluntarily complied with the prohibition when informed of the ordinance. In one case, a citizen insisted on receiving a citation. The citizen was fined and the fine was upheld upon appeal.

On April 24, 2001, the Board of Supervisors of the County of Sacramento adopted a formal policy prohibiting smoking outside of County buildings. County buildings were defined to include all County owned, leased and occupied buildings. In addition, the Board directed staff to work on appropriate signage and policy compliance, to include the provisions in all future County leases, and to report back in one year on policy compliance. The Sacramento County Department of Health and Human Services staff informally informed City staff that the signage has been effective in reducing the instances of smoking near the entrances to County Buildings. The County's policy does not specify a penalty for non-compliance.

In January 2001, a survey of 1812 California adults conducted by Field Research Corporation for the California Department of Health and Human Services found that:

- 76% agreed that workplaces should designate at least a 15 foot smoke free area around all building entrances.
- 82% of non-smokers agreed that workplaces should designate at least a 15 foot smoke free area around all building entrances.
- 59% of smokers agreed that workplaces should designate at least a 15 foot smoke free area around all building entrances.

In February 2002, the Sacramento County Department of Health and Human Services conducted an informal City employee survey, to determine employee support for prohibiting smoking within 20 feet of all entrances to City buildings. Three hundred and twenty two employees voluntarily participated in the survey conducted over three days. Highlights of the survey include:

- 73% were in favor of a City policy to keep smoking away from the entrances to City buildings.
- 33% said that they were exposed to secondhand smoke at work every day.

- 71% said that they were bothered a lot (41.4%) or some (29.6%) by people smoking near the entrances to City buildings.

**FINANCIAL CONSIDERATION:**

The City will incur a minor expense for signage as appropriate.

**POLICY CONSIDERATION:**

Staff believes that the City will experience substantial compliance with the Smoking Ordinance as experienced and reported in the City of Davis and Sacramento County.

**ENVIRONMENTAL CONSIDERATIONS:**

This report recommends no action that would constitute a project under the California Environmental Quality Act (CEQA).


**ESBD CONSIDERATIONS:**

The Office of Small Business Development has over twenty active certified small businesses that supply signage.

Respectfully submitted,

  
Michael L. Medema  
Special Projects Manager

RECOMMENDATION APPROVED

  
\_\_\_\_\_  
Robert P. Thomas  
City Manager

Attachment

**CITY OF SACRAMENTO  
ORDINANCES**

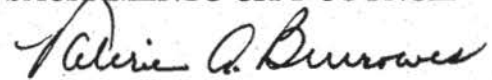
On July 23, 2002, the following ordinance(s) were considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of July 30, 2002. In accordance with Sacramento City Charter Section 32, the titles are herein published:

AN ORDINANCE AMENDING SECTION 8.80.140 OF TITLE 8  
OF THE SACRAMENTO CITY CODE RELATING TO  
PROHIBITION OF SMOKING AT CITY BUILDINGS

AN ORDINANCE AMENDING SECTIONS 5.28.2160, 5.28.2170,  
5.28.2480 AND 5.28.2570 OF CHAPTER 5.28 AND ADDING  
SECTIONS 5.28.2175 AND 5.28.2235 TO CHAPTER 5.28, TITLE  
5 OF THE CITY CODE RELATING TO LICENSING OF CABLE  
TELEVISION FRANCHISES

Anyone interested in the full text of the above ordinance(s) may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.

SACRAMENTO CITY COUNCIL



BY: VALERIE A. BURROWES  
CITY CLERK

AD NO.: 9514  
RUN ONE TIME: 7/26/02  
2 PUB PROOFS