

## DID YOU KNOW? IT'S ILLEGAL TO SMOKE IN MULTI-UNIT HOUSING COMPLEXES IN BERKELEY!

The City of Berkeley's Smoke-Free Multi-Unit Housing ordinance went into effect on **May 1, 2014**. This ordinance directly affects tenants and owners of residential rental property in Berkeley. Here are some facts:

- Smoking is prohibited in **all** units of multi-unit residences and all common areas of multi-unit residences (two or more units). This also includes common areas such as private decks, balconies, and porches of units.
- **Medical Cannabis:** The use of medical cannabis by a person for whom using medical cannabis is not a crime under California law is exempt from this law.
- **Signage:** Owners and managers of buildings must post "No Smoking" sign(s) on their buildings. Signage must be consistent with the signposting requirements of Berkeley Municipal Code Section 12.70.060. Signs can be downloaded at [cityofberkeley.info/smoke-free\\_MUH](http://cityofberkeley.info/smoke-free_MUH)
- **Leases:** Include non-smoking provisions for all new leases initiated after May 1, 2014. Offer a voluntary non-smoking lease addendum for all current leases. A sample lease addendum can be downloaded at [cityofberkeley.info/smoke-free\\_MUH](http://cityofberkeley.info/smoke-free_MUH)
- **Enforcement:** Enforcement is a complaint-driven process that must be initiated by tenants of multi-unit residences. Complaint forms can be downloaded at [cityofberkeley.info/smoke-free\\_MUH](http://cityofberkeley.info/smoke-free_MUH)

### Frequently Asked Questions:

**Q:** I live next door to a multi-unit housing complex. Can I submit a complaint?

**A:** No. Only tenants of the complex can submit a complaint.

**Q:** I live in a single-family home with a detached in-law in my backyard that I rent to a tenant. There are no shared walls or ceilings. Does the ordinance apply?

**A:** No.

**Q:** I own a condo that is a unit in a larger building. I share walls and ceilings with my neighbors. Does the ordinance apply?

**A:** Yes.

## Smoking Bites so Students at Berkeley City College Fight Back

Berkeley City College Students Fight Back

<http://www.smokingbites.org>

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Please do not hesitate to contact the City of Berkeley's Tobacco Prevention Program at 510-981-5330 if you have questions about this specific ordinance, or other anti-tobacco city ordinances.

*The City of Berkeley Tobacco Prevention Program offers FREE cessation clinics. For smokers who are ready to take action for a tobacco free life, we encourage them to register for our FREE quit smoking session series. **To register please contact us at (510) 981-5330 or [quitnow@cityofberkeley.info](mailto:quitnow@cityofberkeley.info)***