

## Enforcement of Smoking Ordinance

The City's resources are available to apartment owners/managers to assist with enforcing the City's smoking ordinance. If a resident is not complying with the smoking ordinance, you may contact the City's Code Compliance Division at (805) 517-6232 for assistance.

Code Compliance staff will send a letter to the offending resident educating him/her of the City's smoking ordinance requirements. Additional enforcement actions may also be taken as necessary and appropriate.

As long as landlords have fully complied with the signage, lease, and notification requirements of the City's ordinance, as described in this brochure, then landlords shall not be criminally or civilly liable to any person for a person's breach of any smoking provision while in the apartment complex.

## Copy of Smoking Ordinance

A copy of the City's Smoking Ordinance is available on the City's website at:

[www.moorparkca.gov/smoking](http://www.moorparkca.gov/smoking)

Please contact the Planning Division at (805) 517-6289 if you have any other questions.



# Smoking at Apartment Complexes

***City of Moorpark  
February 2018***



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## Smoking Ban at Apartment Complexes

Smoking in apartment complexes anywhere in the City of Moorpark will generally be banned by February 1, 2019.

### Where does the ban apply?

This ban includes individual apartment units, balconies, patios, indoor common areas (hallways, laundry rooms, etc.), and outdoor common areas (playgrounds, pools, parking lots, etc.), except for Designated Outdoor Smoking Areas.

### Does the ban apply to smoking marijuana and e-cigarettes?

The smoking ban applies to smoking of tobacco products, marijuana, and electronic cigarettes (vaping). The ban does not apply to marijuana edibles.

### Can an apartment owner/manager simply designate an entire complex as smoking-free?

Yes. No City permit or approval is required to designate an entire apartment complex as smoking-free.

### What if I have more questions?

Please contact the Planning Division at (805) 517-6289.

## What do apartment owners/managers need to do?

### Incorporate into Leases:

Every new and renewed lease must prohibit smoking inside apartments and all common areas, with the requirement that smoking in all apartment units will be prohibited by February 1, 2019.

### No Smoking Signs:

Post “No Smoking” signs in sufficient numbers and locations to inform residents and visitors that smoking is prohibited. Sign lettering must be at least one inch tall or contain a pictorial representation of a burning cigarette in a red circle, crossed by a red bar.



### Written Notice to Tenants:

Provide written notice to all tenants stating that smoking is prohibited in all common areas, except for Designated Outdoor Smoking Areas (if one is created), and that all units will be designated as non-smoking when the lease is up for renewal, or February 1, 2019, whichever is earlier.

If an apartment complex is already entirely smoking-free, then this additional written notice is not required.

## Designated Outdoor Smoking Areas

The apartment owner/manager may obtain a permit from the City to create a “Designated Outdoor Smoking Area” at an apartment complex. The area must meet the following criteria:

- Be at least 50 square feet and be at least 5 feet in length on any side.
- Be at least 25 feet away from a playground or an entrance, exit, or operable window of any enclosed building.
- Contain ash cans maintained by the apartment owner/manager.
- Contain signage identifying the area as a “Designated Outdoor Smoking Area” and with a pictorial representation of a burning cigarette. The signs must be at least 3 inches high and 8 inches long and be posted prominently between 5 and 7 feet above the ground.



To obtain a Zoning Clearance (permit) to create a Designated Outdoor Smoking Area, please contact the Planning Division at (805) 517-6289. A one-time processing fee of \$110 will apply.