

**Letter to Residents:
Notice Regarding New Smoke-Free Multi-Unit Housing Law in Berkeley**

Date: _____

Dear Resident(s): _____

On December 17, 2013, the Berkeley City Council passed an amendment to ordinance 12.70 prohibiting smoking in all multi-unit residences in Berkeley. This includes condominiums and common areas such as but not limited to private decks, balconies, and parking garages. The ordinance will go into effect on May 1, 2014. A link to the ordinance can be found at:

http://www.ci.berkeley.ca.us/Health_Human_Services/Public_Health/Smoke_Free_MUH.aspx

All existing tenants must be notified of the new ordinance no later than March 1, 2014 and must be offered a **voluntary** non-smoking lease addendum. The attached addendum is optional – if you wish to complete it, please return a copy to _____ by _____. All new leases initiated after May 1, 2014 will include non-smoking provisions. Please note that the new law prohibits smoking in all units and common areas regardless of what is written into the lease and violators of the law may be subject to a fine.

Under the smoke-free ordinance, “Multi-unit residence” means a building or portion thereof that contains more than one unit and “Common area of multi-unit residence” means any enclosed area or unenclosed area that may be used by more than the residents of a single unit or room, including but not limited to shared lobbies, courtyards, lounges, hallways, elevators, stairs, community rooms, playgrounds, gym facilities, swimming pools, parking garages, parking lots, living and dining areas, kitchens, bathrooms, laundry rooms, lobbies, waiting rooms, and television rooms (Berkeley Municipal Code 12.70.020 L, D).

If another tenant in your building is smoking inside their unit or in common areas, a description of the complaint process can be found on the City of Berkeley’s website at:

http://www.ci.berkeley.ca.us/Health_Human_Services/Public_Health/Smoke_Free_MUH.aspx

The U.S. Surgeon General’s finding that there is no safe level of exposure to secondhand smoke and the California Air Resources Board’s decision to classify secondhand smoke as a toxic air contaminant has prompted jurisdictions across the state and country to reduce multi-unit residents’ exposure to secondhand smoke.

For those wishing to quit smoking, the City of Berkeley Tobacco Prevention Program offers free smoking cessation classes to the public. Please call 510-981-5330 or email **quitnow@cityofberkeley.info** for information on upcoming cessation classes. The Smokers’ Helpline also provides free phone cessation services to all California smokers at 1-800-NO-BUTTS or **www.californiasmokershelpline.org**.

Thank you for your cooperation.

Sincerely,

Management