



To: Family and Human Services Committee, Contra Costa Board of Supervisors

From: Ori Tzvieli, MD
Health Officer, Contra Costa County
Public Health Director, Contra Costa Health Services

Re: Annual Report on Implementation of Secondhand Smoke Protections Ordinance 2018-07

Date: 2/27/2023

I. Summary

The Contra Costa Board of Supervisors adopted Smoke-free Multi-Unit Residences Ordinance 2018-07 on March 13, 2018, which increased secondhand smoke protections for persons and families living within multiunit housing. Implementation of Ordinance 2018-07 for new and renewing leases began on July 1, 2018, whereas for continuing leases and owner-occupied units, implementation would start on July 1, 2019. This brief report is specific to the continued implementation of the broader Smoke-free Secondhand Protections (Division 445-4) and the modified strategies utilized to continue activities as the project continues to be impacted by the COVID-19 pandemic.

II. Secondhand Smoke Ordinance Background

Across the State of California, and nationally, Contra Costa County continues to be recognized as a leader in developing and implementing local tobacco control policies. The County's secondhand smoke protections have been updated and strengthened by the Contra Costa Board of Supervisors for more than a decade, with additional policies being adopted in October 2009, October 2010, April 2013, June 2014, July 2017, and March 2018.

Amendments to the County's Secondhand Smoke policy (Division 445-4) have expanded secondhand smoke protections and include the following: requiring all County-owned properties be 100% smoke-free; the inclusion of electronic smoking devices and cannabis in defining "secondhand smoke"; and the expansion of 100% smoke-free multiunit housing to include condos, townhomes, and the guest rooms of hotels and motels.

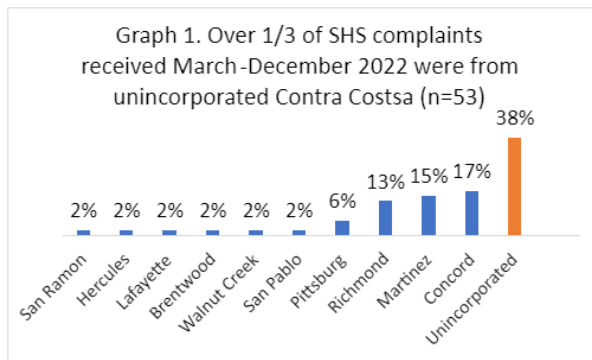
III. Implementation of Ordinance 2018-07 Since February 2022 Report

The Smoke-free Multi-Unit Residence Ordinance 2018-07 is implemented through the activities of the Tobacco Prevention Program (TPP) for the Public Health Division of Contra Costa Health Services. TPP operates a secondhand smoke complaint line and provides resources and education to community members about smoke-free multiunit housing tobacco control policies through email and phone calls.

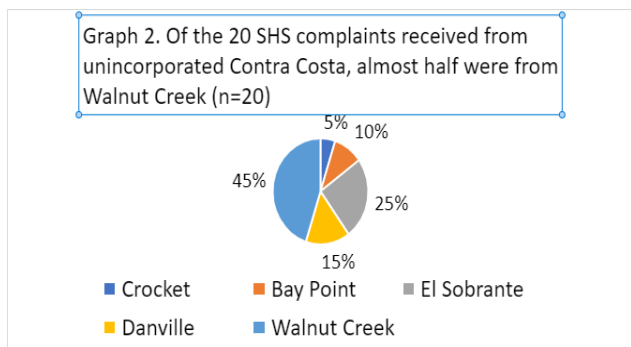
TPP Staff last reported to the Family and Human Services Committee in February 2022. The following is a summary of activities conducted March 2022 through December 2022.



From March through December 2022, TPP received 53 secondhand smoke complaints from residents and landlords within the unincorporated areas and incorporated cities throughout the County. TPP Staff tracks secondhand smoke complaints in a spreadsheet and conducts follow-up by phone or email within 48 hours. TPP Staff provides residents with appropriate resources such as how to address the issue with the smoker and/or landlord, how to document smoking occurrences, and legal options for tenants affected by secondhand smoke. For complaints within unincorporated Contra Costa, TPP communicates with property managers, HOA, and owner-occupied units to ensure that compliance with signage and lease addendums is being followed. On-site compliance visits are conducted to address questions about where smoking is allowed and for unresolved complaints. Between March and December 2022, three on-site visits were conducted. Most complaints can be addressed with additional information provided to property managers. However, some cases have led to tenants moving towards legal action or moving out of current multiunit housing residence. When complaints are from incorporated cities in Contra Costa, after GIS address verification and secondhand smoke policy review, TPP Staff provide information about the relevant community’s policy and refer complainants to appropriate resources such as city staff, law and or code enforcement.



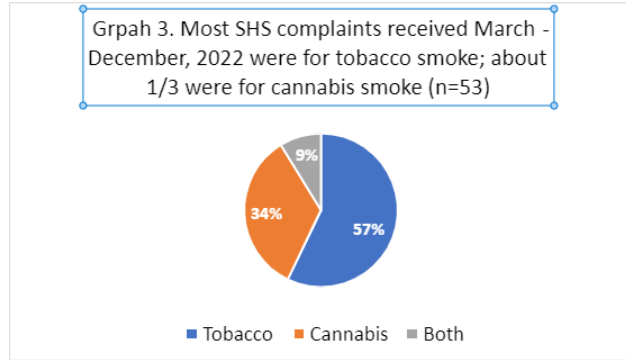
As illustrated in Graph 1, of the 53 secondhand smoke complaints received between March and December 2022, over one third came from unincorporated Contra Costa. The next highest number of complaints came from the cities of Concord, Martinez and Richmond residents (Graph 1).



Among the complaints from unincorporated communities, almost half were from unincorporated Walnut Creek, with smaller percentages from the unincorporated areas of El Sobrante, Danville, Bay Point and Crocket (See Graph 2).



In terms of types of SHS complaints received March through December 2022, 57% of complaints were for combustible cigarette smoke, while 34% were for cannabis smoke; 9% were complaints for both cannabis and tobacco (Graph 3).



IV. Technical Assistance to Contra Costa Cities

TPP Staff provided technical assistance to local jurisdictions to incorporate components of the model ordinance and seeks to inform and educate those local jurisdictions that do not have tobacco control policy so that they consider protective smoke-free multiunit dwelling policies.

Resources and downloadable smoke-free signs in four languages continue to be available on the CCHS TPP website. The smoke-free signs highlight that cannabis, vaping, and cigarette smoke is prohibited. Smoke free signage and decals can be provided upon request to all. The secondhand smoke webpage had 697 page views and 539 visitors between January 1, 2022, and June 30, 2022. TPP Staff plans to update the webpage to include additional information on other smoke-free MUH policies throughout the county in the future. Smoke-free messages that focus on reaching residents in unincorporated Contra Costa are posted regularly on the Tobacco Prevention Coalition's Facebook and Instagram social media platforms in collaboration with TPP Staff regularly.

TPP Staff will continue to respond to requests for resources, assistance and information from residents, property managers and owners by phone and by email. TPP Staff plans to resume auditing and inspecting properties at random to confirm compliance with the smoke-free multiunit housing tobacco control policies early 2022 if funding is secured for these activities.

TPP Staff provided education and resources to community members who filed complaints and forward the complaint to the appropriate contact in those cities when possible.

Of the 19 jurisdictions, TPP Staff provided technical assistance to the cities of Pinole, Richmond, Hercules, Concord, and Pittsburg to either adopt, implement, or enforce secondhand smoke protection laws in their community.

V. Next Steps for Technical Assistance to Contra Costa Cities

TPP Staff will continue smoke-free efforts in 2023-2025 to help expand smoke-free protections to residents in Antioch and Pittsburg. TPP Staff has made moderate progress to date in these communities by informing and educating policymakers and community members on the importance of secondhand smoke model policy and best practices.



VI. Recommendations

TPP Staff requests that the Family and Human Services Committee accept the report and direct staff to continue to provide updates on implementation of the ordinance as part of staff's annual report on Contra Costa's Secondhand Smoke Protections Ordinance.

