



Sunnyvale

# Sunnyvale Outdoor Areas Smokefree Law Frequently Asked Questions

## **What does “smoking” include?**

Smoking includes the use of:

- Cigarettes, cigars, cigarillos, hookah and pipes
- Electronic smoking devices, such as e-cigarettes or vape pens
- Marijuana

## **Where is smoking prohibited?**

Smoking is prohibited in the following outdoor locations in the City of Sunnyvale:

- Outdoor dining areas where food or drink is consumed, including restaurants, bars, coffee shops and office courtyards
- Within 25 feet from any operable doorway, window, opening or vent of buildings
- Within 25 feet of “service areas,” including:
  - Transit stops or shelters
  - ATMs
  - Ticket lines
  - Mobile vendor lines
  - Cab lines
- Public events, including:
  - Farmers’ Markets
  - Art & Wine Festival
- Anywhere on South Murphy Avenue between Washington Avenue and Evelyn Avenue
- Public parks, including golf courses

## **What types of buildings are subject to the 25 foot smokefree limits?**

The smokefree buffer zone applies within 25 feet of any location where smoking is prohibited, including offices, retail stores, restaurants, places of worship, etc. Smoking is prohibited within 25 feet from any operable doorway, window, opening, crack or vent into such a building.

## **Where is smoking allowed?**

Smoking is allowed:

- Within 25 feet of building entrances if the person is actively passing on the way to another destination
- In outdoor areas that are farther than 25 feet from a place where smoking is prohibited, e.g., in parking lots more than 25 feet from buildings, on the street or sidewalk if more than 25 feet from a location where smoking is prohibited
- In single family detached private residences (Note: smoking is prohibited in multi-unit residences. For more information, search Multi-Unit Residence

Smokefree Law Frequently Asked Questions on [Sunnyvale.ca.gov](http://Sunnyvale.ca.gov).)

- In up to 20% of guest rooms in hotels and motels that allow smoking
- In retail or wholesale tobacco shops

## **If I am a business or location where smoking is prohibited, what are my requirements under the law?**

Under the law, owners, operators, managers or other people with control over a place where smoking is prohibited are required to:

1. Post no-smoking signs clearly and conspicuously in locations where smoking is prohibited, including entrances. Signs shall include letters at least one inch in height and the international “No Smoking” symbol. Signs posted on the exterior of buildings shall include the 25-foot requirement.
2. Inform employees and patrons who are smoking about the law and ask them to stop smoking. Knowingly and intentionally allowing smoking in prohibited areas is a violation of the law.



## **Where can I get no-smoking signs to post on my property?**

Businesses may create their own signs that meet the requirements listed in the law. Or, signs may be requested from the City, subject to availability. For more information, contact Neighborhood Preservation at [np@sunnyvale.ca.gov](mailto:np@sunnyvale.ca.gov) or 408-730-7610.

## **What are the penalties for violating the law?**

The City expects a high degree of compliance with these laws once individuals are aware of the smoking limits. Individuals who smoke where smoking is prohibited may be subject to fines and/or prosecution.

## **Where can I get more information?**

This FAQ is intended only as a guide for general and easy reference. To learn more about Sunnyvale’s smoking laws visit: [Sunnyvale.ca.gov](http://Sunnyvale.ca.gov) and search “Smokefree Sunnyvale Law” or contact Neighborhood Preservation at [np@sunnyvale.ca.gov](mailto:np@sunnyvale.ca.gov) or 408-730-7610.