



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

From: Sefanit Mekuria, MD, MPH
Public Health Director, Contra Costa Health

Re: Annual Report on Implementation of Smokefree Multi-Unit Residences Ordinance 2018-07

Date: 09/08/2025

I. Summary

The Contra Costa Board of Supervisors adopted the Smokefree Multi-Unit Residences (SFMUR) Ordinance 2018-07 on March 13, 2018, which increased secondhand smoke (SHS) protections for persons and families living within multi-unit 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 Secondhand Smoke Protections chapter of the county municipal code (Division 445-4)¹ and the technical assistance provided to the County and recommendations for future activities.

II. Secondhand Smoke Protections Policy Background

Nationally and across the State of California, Contra Costa County continues to be recognized as a leader in developing and implementing local tobacco control policies. The Contra Costa Board of Supervisors has updated and strengthened the county's Secondhand Smoke Protections for over a decade, adopting six different ordinances between 2009 and 2018.

Amendments have expanded SHS protections to include the following:

- Requiring all County-owned properties to be 100% smoke-free;
- Including smoke from electronic smoking devices and cannabis in the definition of “smoke”; and
- Expanding the prohibition of smoke in 100% of multi-unit housing and the requirement of smoke-free terms as part of lease or other rental agreements in apartments, condominiums, townhomes, and the guest rooms of hotels and motels.

Emerging Issues: Cannabis Cafes and The Impact on Smoke-Free Indoor Air

Beginning January 2025, AB1775 came into effect. This law expands what is permitted at cannabis/marijuana retailers and allows the sale of food and non-alcoholic beverages.

¹ Contra Costa County, California, Municipal Code: [Chapter 445-4](https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT4HESA_DIV445SESMTOPR_CO_CH445-4SESM);
https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT4HESA_DIV445SESMTOPR_CO_CH445-4SESM

California workers have had lifesaving smoke-free protections in all restaurants since 1995 and in all bars and other hospitality worksites since 1998. California residents and visitors have likewise come to expect being able to breathe air that is free of SHS when patronizing these hospitality venues. Unfortunately, there is concern that these successful public health protections for workers could be rolled back. There is concern from multiple organizations, universities, and researchers about the risk of cannabis SHS exposure for workers and patrons and the potential to weaken California's longstanding smoke-free restaurant and bar environments with the introduction of cannabis consumption lounges. Cannabis smoke contains 3x the emissions of a combustible cigarette (Ott et al., 2021). The same standards that are in place for secondhand tobacco smoking should be in place for cannabis vaping and smoking, particularly because there are other modes of cannabis use that do not pollute indoor air. (Rotering et al., 2021) The American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) emphasizes that ventilation is not a solution for protecting health from SHS. Smoke-free indoor air should be prioritized. (American Nonsmokers' Rights Foundation, n.d.-b, n.d.-a; Wohlwend, 2023)

III. Implementation of Ordinance 2018-07 Since February 2024 Report

The Smokefree Multi-Unit Residences (SFMUR) Ordinance 2018-07 is implemented through the activities of the Tobacco Prevention Program (TPP) for the Public Health Division of Contra Costa Health. TPP oversees an SHS complaint line and provides resources and education to community members about SFMUR tobacco policies through email and phone calls.

TPP Staff last reported to the Family and Human Services Committee in June 2024 on activities that took place from January 2023 through May 2024. The following is a summary of activities conducted from June 2024 through July 2025.

From June 2024 through July 2025, TPP received 27 SHS complaints from residents and housing providers within unincorporated areas and incorporated cities throughout the County. Housing providers are defined as property management companies, homeowners' associations (HOA), and unit owners. TPP Staff monitors SHS complaints and inquiries and conducts follow-up by phone or email within 48 business hours. "No complaint has led or resulted in a site visit or administrative fine this reporting period.

Figure 1. Process for Registering and Responding to Complaints

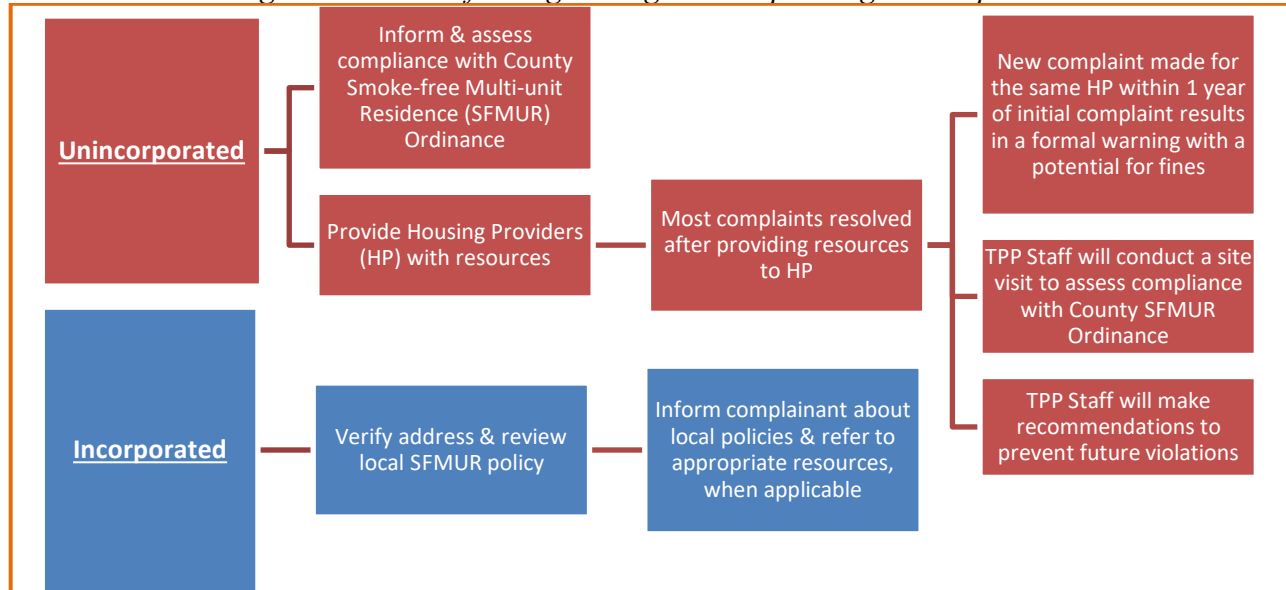


Figure 1 describes the steps taken to register and respond to complaints as well as distinguishes the differences between complaints received from unincorporated Contra Costa County and incorporated cities.

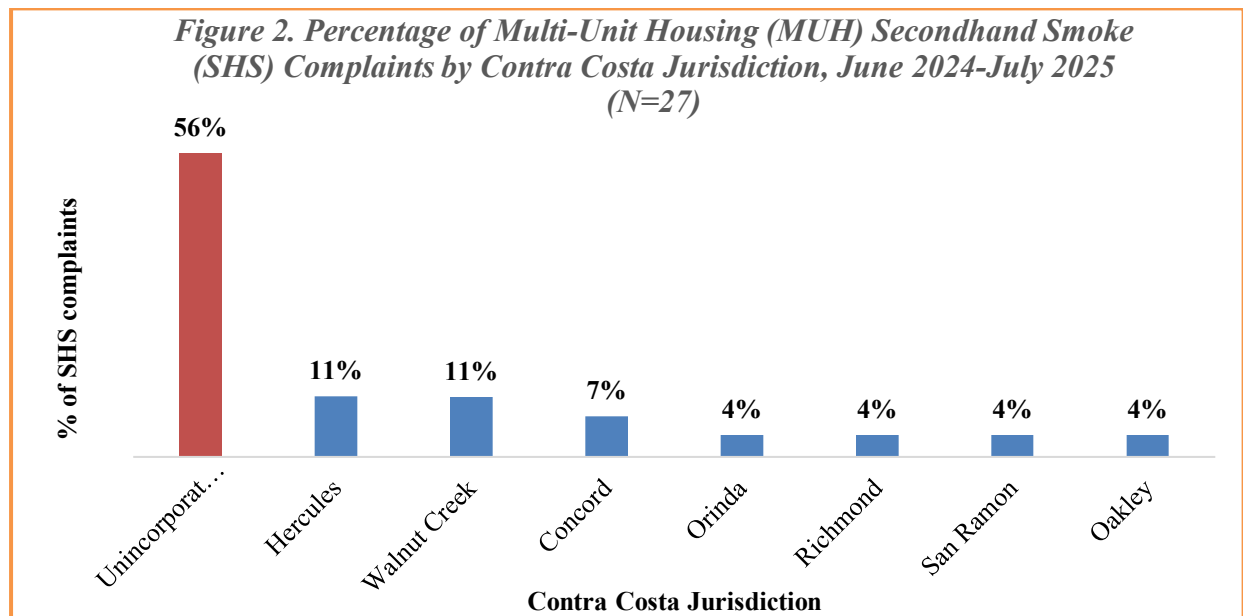


Figure 2 provides a distribution of the multi-unit housing (MUH) complaints received throughout Contra Costa County, where 56% of complaints were experienced in unincorporated Contra Costa County. The next highest number of complaints came from the cities of Hercules, Walnut Creek, and Concord.

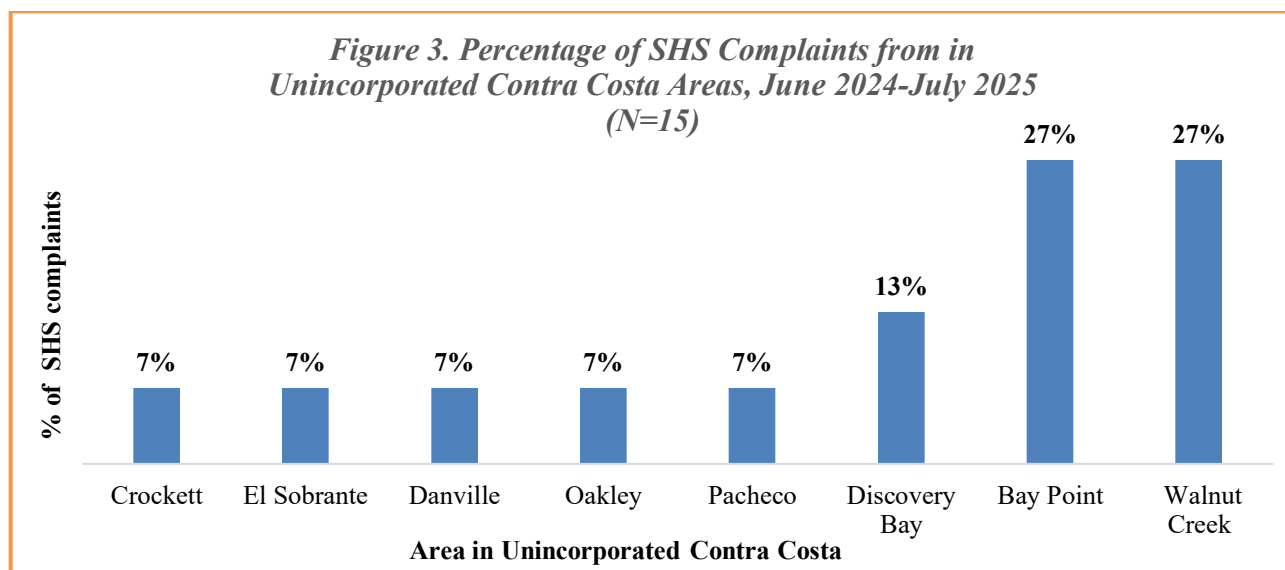


Figure 3 shows the distribution of complaints among the 15 complaints received from unincorporated Contra Costa, with the most received from unincorporated Bay Point and Walnut Creek, and the next highest from Discovery Bay.

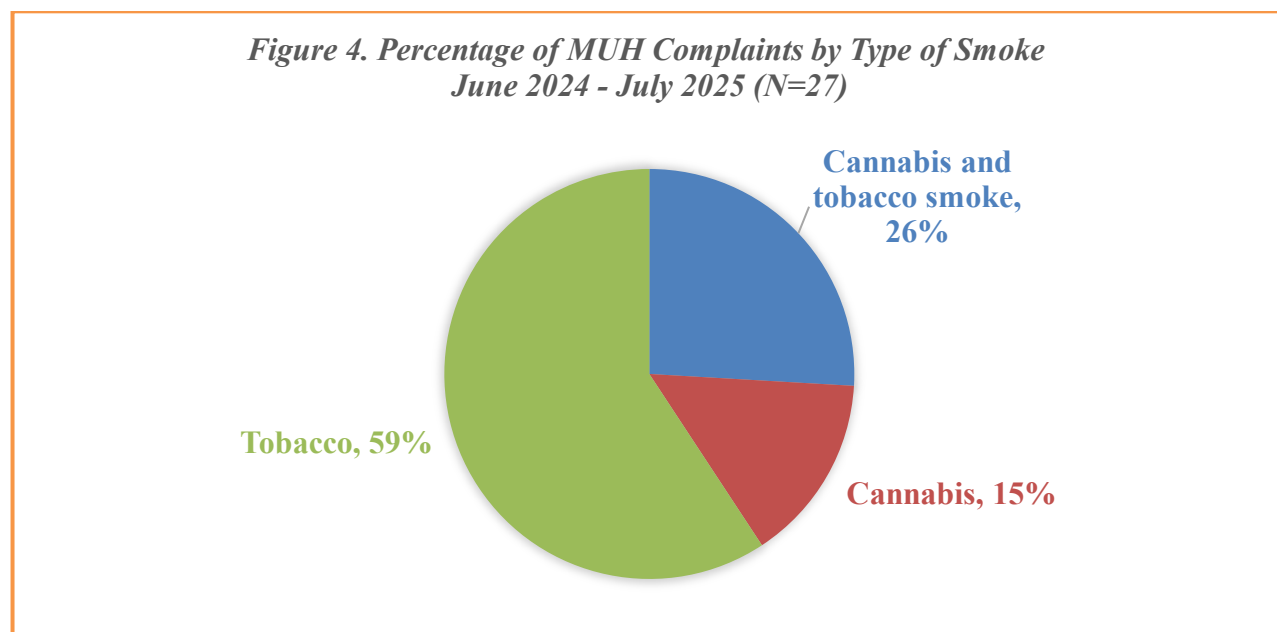


Figure 4 shows the distribution of complaints by type of smoke. Tobacco smoke made up 59% of the complaints, including vaping. Cannabis made up 15% of complaints, and both tobacco and cannabis made up 26%. TPP has also continued to receive complaints (n=5) regarding suspicious smoke drifting from nearby industrial businesses or poor commercial hygiene. TPP staff have referred these complaints to Environmental Health.

IV. Technical Assistance to Contra Costa Cities

Along with monitoring the County's SHS complaint line, TPP staff provided technical assistance to jurisdictions to incorporate components of a comprehensive SFMUR ordinance, as recommended by the California Department of Public Health and the Public Health Law Center. This activity also included informing and educating those localities that do not yet have a comprehensive tobacco control policy to consider implementing protective SHS measures. This past year, TPP Staff has focused on providing education and technical assistance to stakeholders and policymakers in Pittsburg, Martinez, and Antioch.

In the fall of 2024, TPP staff connected with a community-based organization (CBO) and local stakeholders in Antioch to educate stakeholders about the benefits of an SFMUR policy that protects residents from the harmful effects of SHS. The CBO shared survey data reflecting Antioch residents' opinions on the issue, and stakeholders shared an interest in collecting more data representative of all districts in Antioch. As a result, TPP staff collected data in the spring and summer of 2025 and will be analyzing the results in the upcoming quarter to share with local stakeholders.

On May 19, 2025, the Pittsburg City Council passed an SFMUR policy as part of their Creating Healthy Communities ordinance.² Taking effect on January 1, 2026, smoking will be prohibited in Pittsburg multi-unit residences, including in individual units, enclosed and unenclosed areas, other outdoor areas, and within 25 feet of doorways, openings, or building vents.

Finally, TPP staff provided technical assistance to housing management groups for common interest developments or HOAs in response to complaints from nonrental units, providing guidance on strategies to protect residents from SHS. As a result, one common interest development in the unincorporated Danville area adopted its own SFMUR policy and incorporated it into their HOA covenant, conditions, and restrictions.

Resources and downloadable smoke-free signs are available in four languages on the Contra Costa Health (CCH) TPP website. The smoke-free signs highlight that cannabis, vaping, and cigarette smoke are prohibited in MUH. Smoke-free signage and decals are provided upon request to any unincorporated property. The website now includes a table of SFMUR policies across all Contra Costa municipalities. This table illustrates Contra Costa cities with and those without any SHS protections. This table also directs residents to where they can learn more about local municipal ordinances. New smoke-free property guidance for housing providers will be added to the webpage as resources are being updated and will be made available for use as a template for any jurisdiction and housing provider. 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.

V. Next Steps for Implementation of County SFMUR Ordinance 2018-07

TPP staff will continue to respond to requests for tobacco and smoke-free education resources and

² Pittsburg, California, Creating Healthier Communities Ordinance (2025).
<https://onbaseweb.pittsburgca.gov/PublicAccess/api/Document/AZg8TjraI6QgSOpnt1OarAJHfCzN6ij9%C3%89CfJD%3D%3D>
[irPzynyCifINvScRhPUK1oBy2V12rFkwud4ERJ2NVWDVx8X%C3%89DU%3D/](https://onbaseweb.pittsburgca.gov/PublicAccess/api/Document/AZg8TjraI6QgSOpnt1OarAJHfCzN6ij9%C3%89CfJD%3D%3D)

technical assistance from residents, housing providers, and community partners by phone and by email. Considering a decrease in complaints this past year, TPP staff have developed a plan for additional smoke-free education throughout Contra Costa County, with extra attention in the unincorporated areas.

TPP staff will continue to provide tools and materials through various platforms to expand the SHS protection education and share ways housing providers and residents can keep homes smoke-free and minimize the harms of drifting SHS. Staff will also collaborate with CCH Community and Media Relations to increase traffic and engagement on the CCH TPP website so that more community members are aware of their right to clean air.

To increase smoke-free education in unincorporated areas, TPP staff will reach out to the various Municipal Advisory Councils to make presentations on SHS and available resources. Staff will also develop printed educational materials for medical centers and recreation centers to increase community awareness. Changes to the website and the developed educational materials will include consumer testing with members of the Tobacco Prevention Coalition to ensure graphics and messages are clear and appropriate.

Tobacco education will continue in incorporated cities as TPP staff will continue to engage with local residents and decision-makers about comprehensive smoke-free policies and updated evidence-based, best practices around protections from SHS.

VI. Recommendations

1. Accept the report and direct staff to annually inform the FHS Committee and the Board of Supervisors on the implementation of the Contra Costa County Smokefree Multi-Unit Residences Ordinance.

Citations:

- American Nonsmokers' Rights Foundation. (n.d.-a). On-Site Cannabis Consumption Policy Guidance Tip Sheet. *American Nonsmokers' Rights Foundation | No-Smoke.Org*. Retrieved June 10, 2024, from <https://no-smoke.org/on-site-cannabis-consumption-policy-guidance-tip-sheet/>
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- Wohlwend, H. (2023, August 10). California Cannabis Café Bill Threatens Smokefree Protections. *American Nonsmokers' Rights Foundation | No-Smoke.Org*. <https://no-smoke.org/california-cannabis-cafe-bill-threatens-smokefree-protections/>