

# **Orange County City Local Tobacco Control Laws: Overview of the Tobacco Related Ordinances in the Cities of Orange County Beyond County, State and Federal Mandates June, 2009**

## **Aliso Viejo**

None

## **Anaheim**

4.22: Smoking Lounges:  
Requires Permit  
Defines smoking lounges  
Puts forth requirements for operation

4.53.150 Building Fire Code  
Prohibits smoking in circus and other amusement venue tents

4.70.090 Tattooing Operations  
Prohibits operator from smoking while performing a tattoo operation

11.08.010  
Spitting tobacco juice on public property prohibited

For further information: <http://www.amlegal.com/library/ca/anaheim.shtml>

## **Brea**

None

## **Buena Park**

None

## **Costa Mesa**

6.8.144 Tattooing Operations  
Prohibits tattoo artist from smoking while performing a tattoo operation.

Chapter 1 ½. Sec. 11-17 Tobacco Sales Regulations to Protect Minors  
Requires a sign be prominently posted at the entrance to tobacco sections saying: "RESTRICTED TOBACCO SALES AREA. NO MINORS ALLOWED."

For further information: <http://www.municode.com/resources/gateway.asp?pid=10425&sid=5>

## **Cypress**

17.17.42 Defines and regulates tobacco lounges.

For further information: <http://www.municode.com/Resources/gateway.asp?pid=10126&sid=5>

## **Dana Point**

5.16.014 Prohibits Tobacco Vending Machines

6.44.107 Tattoo Establishments  
Prohibits tattoo artist from smoking while tattooing.

6.45.100 Anti Littering  
Prohibits littering of cigarette butts.

For further information: <http://qcode.us/codes/danapoint/>

## **Fountain Valley**

12.08.085 Parks and Recreation Facilities  
Use of tobacco products prohibited in city parks and recreational facilities where posted

8.37.010 Vending machines dispensing tobacco products  
Tobacco vending machines prohibited.

16.36.060 Oil Well Fire Prevention  
Smoking prohibited near oil wells, and tanks or any area contaminated by oil or waste gas.

For further information: <http://qcode.us/codes/fountainvalley/>

## **Fullerton**

15.55. Provisions and Conditions for Special Uses  
The Fire Department may post No-smoking signs

9.12. Park Regulations  
It is illegal to smoke tobacco on any public recreational trail, at Laguna Lake Park or in a public park in a posted very high fire hazard severity zone.

9.12.080. Park Regulations  
It is illegal to give an animal tobacco, alcohol or other noxious substances in the park.

9.12.320. Park Regulations  
It is illegal to scatter lit matches, cigarettes, cigars, tobacco papers or other inflammable materials in the park or adjacent roadways.

For further information: [Fullerton, CA Municipal Code](#)

## **Garden Grove**

Chapter 75 Regulates smoking lounges

6.38.90: Tattoo Operations  
Prohibits tattoo artist from smoking while performing a tattoo operation.

8.52.20: Sale and Display of Narcotic and other Paraphernalia Paraphernalia for smoking controlled substances, including cigarette papers are declared a public nuisance at businesses where minors have access. Minors are prohibited from entering such rooms unless accompanied by a parent or legal guardian

For further information:

[http://www.ci.garden-grove.ca.us/cgi-bin/municode\\_public/code.cgi](http://www.ci.garden-grove.ca.us/cgi-bin/municode_public/code.cgi)

## **Huntington Beach**

8.72.060 Tattooing, Body Piercing and Permanent Cosmetic Regulations.

Tattoo artist may not eat, smoke or drink while performing a tattoo operation.

9.08.150 Public nuisance – Civil Remedy:

Violations of tobacco related laws may be addressed through the civil court as a public nuisance.

9.08.160: Tobacco vending machines prohibited

13.08.115: Beach Regulations

Smoking on the beach, pier or Pier Plaza is prohibited unless designated by sign to be a smoking area.

For further information:

[http://www.surfcity-hb.org/government/elected\\_officials/city\\_clerk/municipal\\_code/](http://www.surfcity-hb.org/government/elected_officials/city_clerk/municipal_code/)

## **Irvine**

Chapter 1, Sec. 3-4-134. Smoking

Smoking is prohibited within the limits of any open space area.

(Ord. No. 07-20, § 1, 12-11-07)

Chapter 5, Section 4-10-512 Smoking Regulated or Prohibited

Smoking prohibited in all parks and recreational areas except where designated.

Chapter 13, Section 2-10-1310 – Tattooing Operations

Tattoo artists may not smoke while performing tattoo operations.

For further information: <http://www.municode.com/resources/gateway.asp?pid=10941&sid=5>

## **Laguna Beach**

7.40.090 Smoking prohibited on restaurant patios

7.40.115 Smoking prohibited on beaches and beach access ways

7.41.020 Tobacco vending machines prohibited

For further information, please link to: <http://qcode.us/codes/lagunabeach/>

## **Laguna Hills**

5-28 Smoking and the Sale of Tobacco Products

5-28.030 I. Smoking prohibited in parks, sports arenas and convention halls

5-28.030 K. Smoking prohibited in child day care and elder care facilities, including private residences while used as family daycare homes.

5-28.030 N. Smoking prohibited on outdoor restaurant patios

5-28.030 O. Smoking prohibited within 20 feet of an outdoor restaurant patio.

5-28.030 T. Smoking prohibited in shopping malls

5-28.030 V. Smoking prohibited in parking garages.

5-28.50 Tobacco vending machines are illegal

8-04.220.e.5. Smoking prohibited in the skateboard park

For further information: <http://ordlink.com/codes/laguna/index.htm>

## **Laguna Niguel**

Division 3, Article 2, sec. 11-3-86 Fire Regulations  
City fire chief may prohibit smoking in a high fire hazard area.

Division 1, Article 6, sec. 13-1-103.11 Skateboard Park  
No tobacco products allowed at the skateboard park.

For further information:  
<http://www.municode.com/resources/gateway.asp?pid=12544&sid=5>

## **Laguna Woods**

Sec. 7.16.030.1 Prohibition of smoking in public places  
f. Child care and adult day care facilities;  
h. Public transportation facilities, including buses and taxicabs and ticket, boarding, and waiting areas of public transit depots;  
l. Recreation and Sports facilities

Sec.7.16.030.2 Prohibition of smoking in Unenclosed Areas  
a. Waiting lines  
b. Outdoor dining restaurants  
c. Multi-family swimming pools  
d. Stairways, hallways and entryways of multi-unit housing  
e. Carports shared by more than one residential unit  
f. Ticket, boarding and waiting areas for public transportation  
g. Entryways and exits for enclosed public areas  
h. City parks and preserves  
i. Public events sponsored by the city

Sec 7.16.050 Reasonable Distance

Smoking prohibited for 20 feet from any entrance, vent or opening where smoking is prohibited, except while actively passing by.

For more information:

<http://www.municode.com/Resources/gateway.asp?pid=13829&sid=5>

## **La Habra**

None

## **Lake Forest**

13.05.030 Skate Park Regulations

Tobacco, alcohol or illegal drugs are prohibited at the skate-park.

For further information: <http://ordlink.com/codes/lkforest/index.htm>

## **La Palma**

None

## **Los Alamitos**

6.16.100.c.8 No smoking in the dog exercise and training areas.

For further information please link to: <http://qcode.us/codes/losalamitos/>

## **Mission Viejo**

As of November 3, 2008

Division 2 Sec 6.40.230 Tobacco vending machines prohibited

13.04.035.b.8: Skateboard Park

Tobacco products, alcohol and illegal drugs are prohibited at the skate park.

For further information:

<http://www.municode.com/resources/gateway.asp?pid=12487>

## **Newport Beach**

11.08.080 Conduct on Beaches and Piers

Smoking is prohibited on city beaches, municipal piers, public floats and public wharves. This includes public walkways and strands to adjoining beach areas, Inspiration Point and Lookout Point. City Council may designate smoking areas. Disposal of cigarette, cigar, etc. litter prohibited except in designated smoking waste receptacles.

6.20.100 Tattooing Operations

No operator shall **smoke** while performing a tattooing operation.

For further information: <http://www.municode.com/resources/gateway.asp?pid=16523&sid=5>

## **Orange**

#### 5.43.090 Tattooing Operations

Tattoo operators shall not smoke while performing a tattoo operation.

8.08.030 Smoking prohibited at service stations and places where inflammable liquids are dispensed.

For further information: <http://www.municode.com/resources/gateway.asp?pid=16539&sid=5>

### **Placentia**

6.52.180 Smoking is prohibited on any dance floor while the dance is in progress.

#### 23.86.100 Tattooing Operations

Smoking prohibited by tattoo artist during tattooing operations

#### 18.12 Christmas Tree Sales and Lots

Smoking prohibited on Christmas tree lots within 5 feet of trees and merchandize and 10 feet of flocking, painting, etc. operations.

For further information: <http://municipalcodes.lexisnexis.com/codes/placentia/>

### **Rancho Santa Margarita**

#### 5.05.050. Tobacco Vending Machine Elimination

Tobacco vending machines are not allowed anywhere in the city.

#### 5.07.090. Tattoo Operations

Tattoo artists may not smoke while performing a tattooing operation

#### 7.02.060.c Commercial Marketing--Promotion and Advertising Limitations.

No advertising for products which promote alcohol or tobacco consumption shall be permitted.

For further information: <http://www.municode.com/resources/gateway.asp?pid=13912&sid=5>

### **San Clemente**

#### 8.64 Smoking

8.64.140 Smoking prohibited on the public beach, including walkways, strands, adjoining beach areas, pier, except in areas (if any) designated as smoking areas by the City Council.

8.64.150 Smoking prohibited in coastal canyons: Calafia Canyon, Lobos Marinos Canyon, Montalvo Canyon, Palizada Canyon, Riviera Canyon, Toledo Canyon, and Trafalgar Canyon.

8.64.170 Smoking prohibited on any public trails in the City.

8.66.030 Placement and maintenance of litter receptacles: Bars in the T-zone shall maintain tobacco litter receptacles.

For further information: <http://www.bpcnet.com/codes/sanclemente/>

## **San Juan Capistrano**

None

## **Santa Ana**

Article II Div 1, Sec. 8-211s1c: Tobacco, liquor and drug retailers must have a silent alarm with a central hook-up.

Art. II Sec. 14-69: No smoking within 25 feet of fireworks storage or sales.

Art. III Sec 18-90 to 18-105: Tobacco Retailer License  
Tobacco Retailers are required to have a city tobacco license which may be suspended or revoked for violations.

Art. VIII Sec. 18-410: Tattoo Operations  
Tattoo artist may not smoke when performing tattoo operations.

Art. XIV. Sec. 18-652. Hookah parlors prohibited.

For further information: <http://www.municode.com/Resources/gateway.asp?pid=14452&sid=5>

## **Seal Beach**

7.05.120 Smoking in the dog park is prohibited

7.20.060 Distributing free tobacco samples and tobacco vending machines prohibited

7.55.010i Smoking prohibited in parks

7.55.010j. Tobacco litter prohibited in the park

9.05.60 Smoking on the beach and pier prohibited.

For further information: <http://www.ci.seal-beach.ca.us/cityclerk/code.html>

## **Stanton**

5.66.020 Regulation of the Sale of Tobacco Products  
Tobacco retailers are required to check photo identification on all tobacco purchasers who appear to be under 27 years of age. A sign must be posted stating this restriction.

9.36.040 Nuisance  
Paraphernalia for smoking controlled substances, including cigarette papers are declared a public nuisance at businesses where minors have access.

For further information: <http://www.qcode.us/codes/stanton/>

## **Tustin**

None

## **Villa Park**

None

## **Westminster**

### 8.10.090 Tattoo Operations

Tattoo artists shall not smoke while performing a tattooing operation.

### 9.52.040 Premises Selling Drug Paraphernalia

Paraphernalia for smoking controlled substances, including cigarette papers are declared to be a public nuisance at businesses where minors have access.

### 12.24.030 Parks

Giving or attempting to give any animal or bird tobacco, alcohol or other noxious substances is prohibited on park property.

### 12.24.050 Parks

Building a fire or scattering lit matches or burning cigarettes, or cigars or tobacco paper in any park or highway, road or street abutting a park is prohibited.

### 14.08.280, 14.12.110 and 14.16.060 Oil Wells

No smoking or throwing, depositing a lit cigar, cigarette, ash, match or other smoldering substance within 25 feet or inside the fence of an oil well, refinery or facility that collects, holds, stores or handles oil or flammable liquids. Signs should be posted.

For further information: <http://www.qcode.us/codes/westminster/>

## **Yorba Linda**

### 15.36.480 Oil Wells

Smoking within 50 feet of a well or tank or area contaminated with oil or waste gases is prohibited.

For further information: <http://www.municode.com/resources/gateway.asp?pid=13406&sid=5>