



Multi-Unit Housing Smoking Regulations Ordinance No. 778: Frequently Asked Questions

For residents and tenants

Introduction

Carpinteria Municipal Code (CMC) Chapter 8.52 contains the City's smoking regulations. On July 8, 2024, the City Council adopted [Ordinance No. 778](#), which amended the smoking regulations to prohibit smoking in multi-unit residences.¹ These new regulations go into effect July 1, 2025.

1. Has the City of Carpinteria banned smoking altogether?

No. The purpose of Ordinance No. 778 is to limit nonconsensual exposure to secondhand smoke in multi-unit residences, where smoke can permeate through doorways, walls and ventilation systems, and negatively affect other nonsmoking residents. The ordinance identifies places and circumstances where smoking may be permitted subject to state and local laws, including designated smoking areas (DSA) that adhere to certain requirements (e.g., located at least 25 feet away from doors and windows).

2. Ordinance No. 778 prohibits smoking in “multi-unit residences.” What counts as a “multi-unit residence”?

“Multi-unit residences” are defined as property containing two or more units, including, but not limited to, apartment buildings, condominium complexes, senior and assisted living facilities, and long-term health care facilities. Additionally, smoking is prohibited both within individual units of a multi-unit residence and anywhere on the premises, which includes indoor and outdoor common areas (excluding DSA).

The following are not included in the definition of a “multi-unit residence”:

- A mobile home park
- A campground
- Single-family homes, including those with Accessory Dwelling Units (ADUs) or Junior ADUs. Single family homes and/or ADUs used as a health care facility subject to licensing requirements are considered “multi-unit residences” for the purpose of this Ordinance.

3. What can I do if I live in a multi-unit residence and my neighbor is smoking in a prohibited location?

You should contact your landlord/HOA with concerns regarding secondhand smoke and potential violations of the City's smoking regulations. Landlords/HOAs must take reasonable steps to enforce the smoking regulations. If the City receives a complaint regarding smoking in

¹ Ordinance No. 778 additionally made changes to tobacco retail licensing fees and procedures related to license suspension/revocation, but this handout does not cover those topics.

multi-unit housing, Code Compliance or other peace officers may issue a notice and educational material to the location identified by the complaint. Ordinance No. 778 creates a private right of action to enforce the multi-unit housing smoking prohibition, allowing an individual to bring a lawsuit in court. However, an individual may not sue a landlord or HOA for damages due to another tenant's breach of smoking regulations if the landlord has fully complied with the requirements of CMC Sections 8.52.080 and 8.52.090.

4. Does this ordinance create a fine for smoking in a unit in multifamily housing?

No.

5. How can my landlord or HOA accommodate residents who smoke?

Designated Smoking Areas (DSA) may be established on private property, if they meet certain conditions outlined in CMC Section 8.52.060. The City reserves the right to prohibit or require modifications to a DSA at a certain location if it undermines the purpose of CMC Chapter 8.52 (i.e. exposes residents to secondhand smoke).

6. Where can I get more information about the City's smoking regulations?

The City's Code Compliance webpage at carpinteriaca.gov/city-hall/community-development/code-compliance contains links to Ordinance No. 778 and CMC Chapter 8.52 in its entirety. You may also contact Code Compliance staff for further assistance at 805-755-4418, by email at DavidH@carpinteriaca.gov, or at 805-755-4413 on weekends.



Scan this QR code to
access Carpinteria
Municipal Code Chapter
8.52, Smoking Regulations.