



El Segundo Police Department

Training Section

348 Main Street, El Segundo, CA 90245

Phone (310) 524-2253

TRAINING BULLETIN

March 16, 2022

Current Smoking Restrictions in El Segundo

Tobacco

The current El Segundo Municipal Code **prohibits** smoking in the following places:

- Enclosed place of employment or workplace (ESMC § 5-6-4(A))
- Enclosed portions of eating establishments (ESMC § 5-6-4(B))
- Any enclosed space/area used by or open to the public (ESMC § 5-6-3(B))
- Any City-owned or City-operated vehicle (ESMC § 5-6-3(A))
- Any public beach within the City of El Segundo (ESMC 10-3-11(V))

VEHICLES: Prohibited in any City-owned or City-operated vehicle (ESMC 5-6-3(A))

PUBLIC PLACE: Prohibited in any enclosed area to which the public is invited or in which the public is permitted, including, but not limited to: banks, educational facilities, health facilities, public transportation facilities, reception areas, lobbies, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, waiting rooms, offices, auditoriums, classrooms, conference and meeting rooms. A private residence is not a public place. (ESMC 5-6-3(B))

PLACE OF EMPLOYMENT OR WORKPLACE: Restricted in any enclosed area of a structure or portion thereof under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, conference rooms, and employee cafeterias. A private residence is not a place of employment. Bars, banquet rooms used for private functions, buildings owned/leased by County, State Federal agencies and private homes that serve as offices are exempted. (ESMC 5-6-4)

EATING ESTABLISHMENTS: Regulated that every publicly or privately owned coffee shop, cafeteria, luncheonette, sandwich shop, soda fountain, restaurant, or other eating establishment serving food and/or any alcoholic beverage to the general public whose occupied capacity is more than forty (40) persons shall provide and maintain a nonsmoking area of at least fifty percent (50%) of the

seating capacity. Excluded from the calculation of occupied capacity herein shall be those portions of such establishments which are located outdoors. (ESMC 5-6-4(B))

BEACH: Prohibited on any public beach within the city of El Segundo. For the purpose of this section, "beach" does not include parking lots or roadways. (ESMC 10-3-11(V))

PARK SPACES: State law prohibits the use of cigarettes, cigars or other tobacco-related products within a playground (any park or recreational area with play equipment), or within tot lots (any sandbox area within a public park). This law also prohibits the disposal of cigarette and cigar butts in these areas. (HS 104495)

CODES: Smoking is prohibited in the following areas in California:

- **Health and Safety Code Section 1596.795:** Within licensed day care centers, including private residences licensed as family day care homes.
- **Health and Safety Code Section 114371:** Within 25 feet of the common commerce area of certified farmers' markets
- **Health and Safety Code Section 1530.7:** Within a foster or group home, as well as outside the home when children are present.
- **Government Code Section 7596-7597:** In all state, county, and city government buildings, including California community college district buildings, as well as within 20 feet from their main exits, entrances, or operable windows, and in any passenger vehicle owned by the state.
- **Labor Code Section 6404.5; Civil Code Section 1947.5:** In apartment and condominium indoor common areas (including hallways, stairwells, laundry rooms and recreation rooms). In addition, it is legal for landlords to make all housing they own and manage smoke-free.
- **Public Resources Code Section 5008.10:** Within state parks and state coastal beaches. Additionally, the disposal of used cigar or cigarette waste is prohibited unless the disposal is made in an appropriate waste receptacle. Exceptions include paved roadways or parking facilities of state parks and state coastal beaches.
- **Health and Safety Code Section 118948:** When a minor (less than 18 years of age) is present in a motor vehicle that is in motion or at rest.
- **Health and Safety Code Section 118925:** In all public transportation systems and in any vehicle of an entity receiving transit assistance
- **Labor Code Section 6404.5:** In all indoor workplaces including bars, restaurants, offices, factories and warehouses. Exceptions include long-term health care facilities (which may designate smoking areas for patients), theatrical productions (where smoking is an integral part of the story), and medical research or treatment sites (where smoking is integral to the research or treatment). Cabs of trucks or tractors must be smoke-free when nonsmoking employees are present. All hotel and motel lobbies, common areas, employee-only areas, meeting or banquet rooms, and at least 80% of guest rooms within a hotel must be smoke-free. Smoking is allowed in tobacco shops and in private smokers' lounges, as long as it occurs in an enclosed area in or attached to a retail or wholesale tobacco shop

- **Vehicle Code 12523:** By an operator of a youth bus at all times when operating a youth bus.
- **Health and Safety Code 104495:** Within 25 feet of a playground, tot lot sandbox, or recreational area specifically designed for use by children, and within 250 feet of a youth sports event, which includes any practice, game, or related activity at which athletes up to 18 years of age are present.
- **Health and Safety Code Sections 104420, 104559; Education Code 48901:** In all school districts, charter schools, and county offices of education, while students attend school-sponsored activities or are under the supervision and control of school employees. Tobacco and nicotine products are prohibited in charter school- or school district-owned or leased buildings, on school or district property, and in school or district vehicles.

Cannabis

California laws governing the consumption of marijuana in public and private places are treated exactly like smoking. This also applies to using electronic devices like vaporizers or aerosols. Marijuana may NOT be smoked in any public place or at any location where the smoking of tobacco is legally prohibited.

In terms of the laws set under the Adult Use of Marijuana Act (AUMA), the State **allows** the following:

- For cannabis to be consumed in a private location.
- For people to hold a maximum of 28.5 grams, or about an ounce.
- For people to hold up to 8 grams of concentrates.

What the state **doesn't allow** is the following:

Consumption of cannabis in public.

- Operation of a vehicle while under the influence.
- Smoking or ingesting cannabis while you're a passenger in a vehicle.
- Possessing, ingesting, or smoking marijuana within 1,000 feet of a daycare facility, school or youth center.

*For enforcement of marijuana related laws, see **CVC Section 23222(b)** and **Health & Safety Code Section 11357(b)**.