



# City of Alameda

## Purchaser/ Tenant Disclosure of Secondhand Smoke Ordinance

The City of Alameda’s Secondhand Smoke Ordinance [Alameda Municipal Code (AMC) Section 24-12] prohibits smoking in multi-unit housing, including apartments, condominiums, stock cooperatives, or planned developments. This ordinance requires rental, lease, and purchase agreements involving multi-unit housing of two (2) or more units to incorporate all ordinance disclosure provisions listed below. By completing and complying with this form, Landlords, Owners, and Sellers satisfy their obligations listed in AMC 24-12.5.

This form provides written disclosure, in compliance with the City’s Secondhand Smoke Ordinance at the following address:

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This property follows the no-smoking laws adopted in the City of Alameda’s Secondhand Smoke Ordinance.

### Effective January 2, 2012:

- ✓ Smoking is prohibited in all common areas
- ✓ Smoking is prohibited inside existing units that are newly leased.
- ✓ Smoking is prohibited in all newly built units.

### Effective January 1, 2013:

- ✓ Smoking is prohibited in all multi-unit housing.

Smoking is prohibited in common areas, except that a person with legal control over a common area, such as a landlord, may designate a portion of the common area as a designated smoking area provided that at all times the designated smoking area complies with AMC 24-12.5(b), which requires that the designated smoking area be:

1. An unenclosed area
2. at least 20 feet from any enclosed non-smoking area
3. at least 20 feet from unenclosed areas primarily used by children and unenclosed areas with improvements that facilitate physical activity
4. no more than 10% of the total unenclosed area of the multi-unit residence
5. Clearly marked with a perimeter and identified with clear and conspicuous signs

If a dedicated smoking area is so designated, the Landlord/Owner/Seller must attach a diagram that illustrates the precise location and configuration of the premises’ designated Smoking area (AMC 24-12.5(c)).

**Note:** There is no smoking within 20 feet from any doorway, window, opening, or vent into an enclosed area in which smoking is prohibited, except while actively passing on the way to another destination (AMC 24-12.4).

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I agree to comply with the no-smoking policies that govern this address, and understand that violating the City’s no-smoking laws constitutes a material breach of any lease executed. Each party to the lease or agreement to purchase hereby acknowledges that they were made aware and fully understand where smoking is unlawful. Landlord/Owner/Seller must maintain this document for their records.

Landlord/Owner/Seller                       Tenant/Purchaser

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_