

### **When did the ordinance go into effect?**

The ordinance went into effect on February 15, 2018.

### **Which public areas are affected by the new ordinance?**

The ordinance applies citywide to any indoor or outdoor public place publicly or privately owned, including but not limited to sidewalks, streets, alleys, dining areas, bars, plazas, parks, parking lots, parking structures, picnic areas, playgrounds, sports fields, bike paths, and hazardous fire areas.

### **Does the ordinance apply to private residential property?**

NO. The ordinance does not apply to private residential property (i.e., single-family homes).

### **What about hotels, motels, or bed and breakfast establishments?**

Hotels, motels, and bed and breakfast establishments may establish their own rules permitting or prohibiting smoking on portions of their property that is not open to the public, including guest rooms, pools, and similar facilities & areas.

### **Where else is smoking prohibited?**

Smoking is also prohibited in fire areas, places of employment, in City facilities, on City property, and on the property of other governmental bodies.

### **Are there any exceptions?**

YES. Smoking is only permitted in two areas of Dana Point:

- 1) On private residential property, other than those used as a child-care or health-care facility
- 2) Within a vehicle

### **Does the new ordinance address electronic cigarettes and vaping?**

YES. Electronic cigarettes and vaporizers, along with all tobacco and marijuana products, are included in the City's definition of smoking and are prohibited wherever the use of cigarettes is prohibited.

### **How much are the fines if someone is caught violating the ordinance?**

Violations of the ordinance are considered an infraction and penalties range from \$100 for first violation, \$200 for second violations and \$500 for third violation.

For More Information Visit:

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SMOKE & VAPORIZER FREE  
*Public Places*  
DPMC CHAPTER 6.40

