

DPH Enforcement of Smoking in Workplaces and Residences

Service Request Made

Service requests can be made via the 311 system, by phone, by email, or through other public agencies.

Does the complaint allege smoking in any of the following areas:

- Enclosed areas of workplace
- Enclosed common areas of multiple unit residential buildings, hotels or lodging facilities
- Outdoor or sidewalk dining areas of restaurants

No

Members of the public may address complaints directly to business or property owners or the managing city agency about smoking in the following outdoor areas:

- Near building entrances, exits or vents
- Fire escapes or other exterior structures
- On sidewalks
- Service Areas
- Transit stops
- Parks, parklets, plazas, piers, or squares
- Sports stadiums

Yes

Complaint Assigned

Request is assigned to program staff and there is an assessment of complaint history.

Is there a history of multiple complaints?

Inspection

Environmental health performs an unannounced targeted inspection.

No evidence of smoking

Case closed!

No evidence is found that smoking was occurring in common areas or workplace.

Evidence of non-compliance?

Notice of Violation

If there is evidence of smoking in a workplace or common area of a shared apartment, such as smokers, ashtrays, service to smokers, etc., the Environmental Health Inspector will issue a *Notice of Violation*.

Violation(s) corrected

Violation(s) not corrected?

Director's Hearing

If a violation is not corrected by the established time frame, the inspectors will refer the case to a Hearing of the Director of Public Health.

Violation(s) corrected

Ongoing non-compliance?

Enforcement Action

Based on the facts presented, the Director's Hearing Officer may suspend the business' license or refer the case to the City Attorney for civil action.

Violation(s) corrected

Case closed!

Corrective action is taken.