April 8, 2016

RE: San Francisco Health Code Article 19O – Use of Smokeless Tobacco Prohibition at Athletic Venues

Dear Sports Arena Owner, Operator, or Manager,

In April 2015, San Francisco Board of Supervisors unanimously approved San Francisco Health Code Article 19O – Use of Smokeless Tobacco Prohibition at Athletic Venues (SFHC 19O). Effective since January 1, 2016, no owner, manager, or operator of a “sports arena” including stadiums as defined in Article 19F of the Health Code shall knowingly or intentionally permit, and no person on the premises shall engage in the use of tobacco products in any enclosed or open part of the sports arena (SFHC Section 19O.3(b)). Please review the attached fact sheet for the definition of “sports arena” and “tobacco products”.

According to Article 19O of the Health Code, any person who owns, operates, or manages property subject to the 19O Article is required to post clear and prominent “no use of smokeless tobacco products” signs at each entrance of the property. Furthermore, Articles 19F and 19N of the Health Code states that sports arena owners, managers, and operators may not allow any smoking or use of electronic cigarette devices in any enclosed or unenclosed space of the property; and are required to remove all ash/cigarette butt receptacles from all enclosed areas of the property (SFHC Sections 1009.21(t), 1009.22(b), 1009.22(i)(5), 19N.4, and 19O.3).

In order to assist you with complying with Article 19O, the San Francisco Department of Public Health – Population Health Division (SFDPH) will adopt rules and regulations as guidance on how to carry out the signage requirements. The rules and regulations will generally specify the content, size, and any other information that the SFDPH Director believes necessary to comply with both Articles 19F and 19O (SFHC Sections 1009.22(i), 19O.4, and 19O.6). SFDPH will have available for public review in July 2016 the draft rules and regulations.

Finally, our office is also requesting your partnership with addressing concerns relating to the observation of staff, patrons, contractors, vendors, or sports team members smoking, vaping, or using tobacco products, including electronic cigarette devices and smokeless tobacco, anywhere on your sports arena property by implementing the following recommendations:

- Update contracts, when appropriate, and websites indicating that smoking, vaping, and the use of tobacco products are prohibited in all areas of the property;
- Assign a contact person and number to handle smoking, vaping, and/or use of tobacco products complaints;
- When requested by SFDPH or the public, make available any written policy including, if any, enforcement action taken against any person observed by the owner, manager, operator, or staff to be smoking, vaping, or using smokeless tobacco products anywhere on the property of the sports arena; and
- At any event or property with amplified sound, make public announcements at the start and during the event (and when applicable at each stage) that “This is a tobacco free event” (or similar wording).

For additional information about this ordinance or the SFHC 19O signage rules and regulations, please feel free to contact me or send an email to DPH.Smoke_Free@sfdph.org.

Sincerely,

Janine Young, Senior Health Inspector
SFDPH – Population Health Division - Environmental Health Branch
(415) 252-3903
janine.young@sfdph.org