



# Smoking and Vaping Ordinance Requirements

The City of Palo Alto has two ordinances which restrict smoking to protect public health. The ordinances are summarized on this factsheet and reflect the requirements as of September 3, 2020.

## Definitions

### Electronic Cigarette Product:

a) any device or delivery system used to deliver nicotine in aerosolized or vaporized form, including: e-cigarettes, e-cigars, e-pipes, vape pens, or e-hookahs, or any component, part, or accessory of such a device or delivery system that is used during its operation, and b) flavored and unflavored liquids or substances containing nicotine. Specific examples include: e-juice or liquid (flavored or unflavored), e-cigarette pods or cartridges (flavored or unflavored), any e-cigarette devices, puff bars or disposable e-cigarette products.

### Flavored Tobacco Product:

includes flavored cigarettes, cigarillos or smokeless tobacco that imparts a characterizing taste or smell other than tobacco. Examples include: menthol, mint, wintergreen, fruit, candy, alcohol or spice flavors.

## Municipal Code 9.14–Smoking and Tobacco Regulations

**This ordinance restricts where tobacco may be used.**

Smoking/vaping is prohibited in:

- Public spaces, e.g., all parks, open spaces and Palo Alto facilities, commercial dining areas, entryways, public events, recreation areas, service areas, commercial indoor areas, outdoor service areas (bus stops, ATMs, and ticket lines), employment places, construction worksites;
- The Downtown Business District (the University Avenue area);
- 25 feet from any door or window to any enclosed area;
- All multi-unit residences with two or more units and common areas, excluding accessory dwelling units, and junior accessory dwelling units;
- Exceptions: designated smoking areas established by commercial areas that are at least 25 feet away from any windows or doors to enclosed areas and include receptacles to control litter.

## Municipal Code 4.64–Permits for Retailers of Tobacco Products (TRP)

**This ordinance restricts where and which tobacco products may be sold.**

The current Tobacco Retail Permit:

- Prohibits the sale of all electronic cigarette and flavored tobacco products at all Palo Alto retailers;
- Prohibits pharmacies and vending machines from selling tobacco products;
- Retailers must display a Tobacco Retail Permit and new retailers are not eligible for a permit if their business is located within 500 feet of another retailer or 1,000 feet of a school;
- Limits storefront advertising of tobacco products;
- Requires the County to administer permits, and Palo Alto Police Department to provide youth decoy undercover checks.

