

Swimming Pools

Smoking around **outdoor** swimming pools, such as the ones in apartment complexes or condominiums, is allowed. Smoke should not enter into enclosed common areas where smoking is prohibited. Enclosed areas near pools may include laundry rooms, activity centers, clubhouses, bathrooms, or changing rooms.

Swimming pools may have their own smoking policy set by the proprietor. Multi-family housing residents should follow the smoking policy set by the proprietor of their residential complex.

Compliance

County health departments will investigate complaints about violations of the Smoke-Free Arizona Act. **Please keep in mind that Smoke-Free Arizona Program officials can only enforce the provisions defined in the Act.** Smoke-Free Arizona Program officials do not enforce local ordinances or in-house smoking policies.



Tips for Educating Tenants about the Smoke-Free Arizona Act

- Display an informational poster in the main office, laundry room, or any other enclosed common area
- Provide a map of the residential complex that includes any areas you designate as smoking areas or non-smoking areas
- Disclose your in-house smoking policy in the tenants' lease agreement
- Distribute door to door flyers that list the designated smoking areas and non-smoking areas and explain the basics of the Smoke-Free Arizona Act
- Encourage tenants to visit smokefreearizona.org for more information about the Act

For More Information

Visit: smokefreearizona.org
Call: 1-877-AZSTOPS (1-877-297-8677)
Email: smokefreearizona@azdhs.gov

To Report a Violation

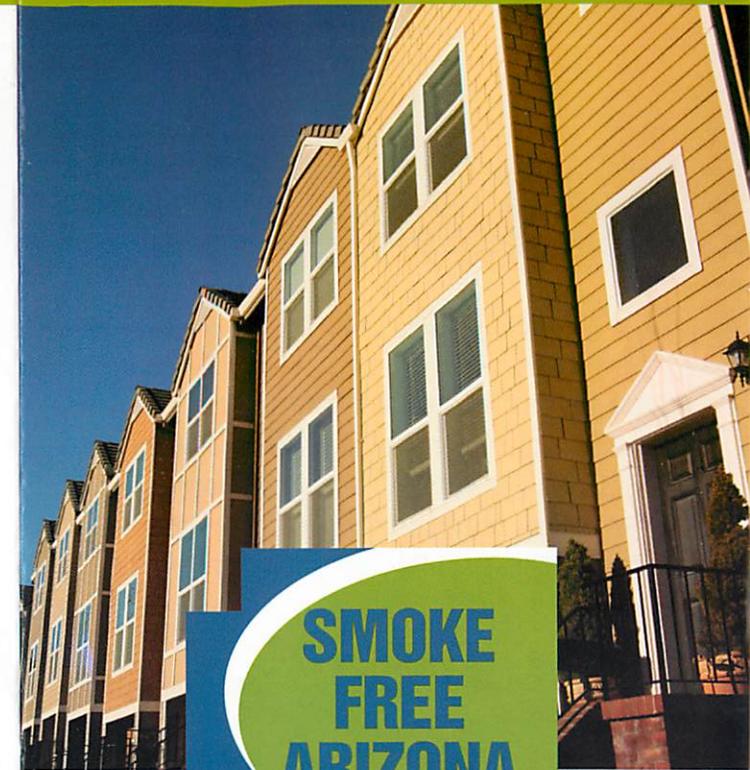
The public may report a violation of the Smoke-Free Arizona Act to the Arizona Department of Health Services by one of the following options:

Fill out an online form at smokefreearizona.org
Call: 1-877-4-AZNOSMOKE (1-877-429-6676)
Email: nosmokingarizona@azdhs.gov



Arizona Department of Health Services
Office of Environmental Health
Smoke-Free Arizona Program
150 North 18th Avenue, Suite 430
Phoenix, AZ 85007-3247

6-DEH-044 (5/09)



The Smoke-Free Arizona Act Clearing the Air About Private Residences and Multi-Family Housing



The Smoke-Free Arizona Act prohibits smoking inside most enclosed public places and places of employment and within 20 feet of entrances, open windows, or ventilation systems

Private Residences

Private residences are one of the seven exemptions of the Smoke-Free Arizona Act, A.R.S. § 36-601.01 (“the Act”). Smoking is allowed in private residences, **except** when the residence is used as a licensed child care, adult day care, or health care facility.

Homes Licensed as Health Care Facilities

The Arizona Department of Health Services will regulate tobacco smoke at a private residence when the private residence is used as:

- A licensed health care institution, including an area of the private residence that is used as an adult day care [an adult day health care facility as defined in A.R.S. § 36-401(A)(4)] during the hours for which the area is licensed;
- A licensed child care facility or an area of the private residence that is a certified area of a child care group home; or
- A health care facility.

Smoking is allowed outside and on outdoor patios, such as back porches or balconies, as long as tobacco smoke does not enter into the licensed private residence.

For more information about how the Act affects your licensed facility, please contact us at 1-877-AZ STOPS (1-877-297-8677).

Multi-Family Housing

Individual Units

Smoking inside individual multi-family housing units such as apartments, condominiums, or duplexes is allowed. Each individual unit is exempt from the Act because they are considered private residences; therefore, tenants can smoke on their balconies, patios, or decks even if it is within 20 feet of a neighboring unit.

The Act does not address smoke entering into a private residence from outside, through a ventilation system, or from a neighboring residence.

Please keep in mind that a proprietor may designate their rental unit as non-smoking. Multi-family housing residents should follow the smoking policy set by their landlord.

Enclosed Common Areas

Smoking is prohibited inside and within 20 feet of entrances, open windows, or ventilation systems of **enclosed** common areas of multi-family housing such as the main office, laundry room, fitness center, activity center, or clubhouse.

Outdoor Common Areas

Smoking is allowed outdoors as long as smoking occurs at least 20 feet away from entrances, open windows, or ventilation systems of enclosed common areas where smoking is prohibited unless defined differently by a local ordinance. Outdoor common areas may include courtyards, sidewalks, walkways, tennis courts, volleyball courts, basketball courts, playgrounds, or swimming pools. Please remember that a proprietor may designate the entire property as non-smoking.

