

LOS ANGELES FIRE DEPARTMENT



RALPH M. TERRAZAS
FIRE CHIEF

March 7, 2016

BOARD OF FIRE COMMISSIONERS
FILE NO. 16-034

TO: Board of Fire Commissioners

FROM:  Ralph M. Terrazas, Fire Chief

SUBJECT: TOBACCO ENFORCEMENT PROGRAM STATISTICS 2015

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & File	<input type="checkbox"/> Other

SUMMARY

In 1995, the Fire Department was designated by the City Council as the City's enforcement agency responsible for enforcing California Labor Code Section 6404.5, the state's Smoke-Free Workplace Law.

In August 2015, the City Attorney's Office provided smoking enforcement refresher training to all Fire Prevention Bureau inspectors. To assist inspectors in future enforcement efforts, inspectors were briefed on current smoking-enforcement laws and regulations and provided with updated educational materials. In addition, investigatory procedures and criminal case preparation were reviewed.

The Fire Prevention Bureau continues to operate a "no-smoking" violation hotline and intakes complaints regarding smoking violations in the City. When a complaint is received, a Notice to Comply letter with enclosed informational materials is mailed to the business. If there is a second complaint for the same address, Bureau inspectors conduct an on-site inspection. If necessary, criminal cases are prepared against businesses found to be in violation. As of December 31, 2015, the Fire Prevention Bureau has issued 81 Notice to Comply letters and has referred one case to the City Attorney's Office for criminal prosecution. Inspectors are currently engaged in additional investigations (including follow-up inspections) which will likely result in criminal case filings.

Below is a statistical graph of smoking complaints received in 2015.

	Indoor Violations	Outdoor Violations	Total
January	6	5	11
February	1	2	3
March	3	2	5
April	1	1	2
May	3	0	3
June	12	1	13
July	8	0	8
August	2	1	3
September	10	2	12
October	5	3	8
November	6	1	7
December	5	1	6

In 2011, The Smoke-Free Outdoor Dining Ordinance, Los Angeles Municipal Code 41.50(B) (2) (c), became effective which prohibits smoking in and within 10-feet of an outdoor dining area. This prohibition is extended to a 40-foot radius around food carts, food kiosks and mobile food trucks. The public can report complaints regarding violations of this smoking ordinance by using the smoking violation hotline, maintained by the Department.

RECOMMENDATION

That the Board:
Receive and file this report.

CONCLUSION

The recent smoking-enforcement refresher training attended by Fire Prevention Bureau inspectors will enable them to provide City residents and visitors with up-to-date educational information on applicable smoking regulations. When necessary, inspectors will also be able to efficiently address recalcitrant violators through criminal prosecution.

Board Report prepared by John N. Vidovich, Deputy Chief, Fire Prevention and Public Safety Bureau.