

Q&A

Prohibiting Smoking in Playgrounds

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Q: California law prohibits smoking in or near playgrounds, but what constitutes a “playground”?

A: California law prohibits smoking within 25 feet of a playground or tot lot sandbox area.¹ The state law prohibiting smoking in playgrounds defines “playground” as a park or recreational area that has play equipment installed and is specifically designed for use by children. This includes facilities located on public or private school grounds or on city, county, or state park grounds.



The term “play equipment” is not defined in the law. However, if play equipment, such as basketball hoops, weights, or a volleyball setup, is available for use in an area, the area would be considered a “playground.”

A tot lot sandbox area is a narrower category, limited to a play area within a public park designated for use by children under five years of age. If a fence does not surround the area, the boundary of a tot lot sandbox area is the edge of the resilient surface of safety material, such as concrete, wood, or any other material surrounding the tot lot sandbox area. The law does not specify whether a sign must be posted stating that the play area is for use only by children under five years of age.

The law does not apply to private property (except private schools) or to public sidewalks within 25 feet of a playground or tot lot area. The law also prohibits disposal of tobacco-related waste, such as cigar and cigarette butts, in these areas.

To learn more, visit: www.changelabsolutions.org/tobacco-control.

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1. California Health and Safety Code § 104495.

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