



CITY OF LAGUNA HILLS CERTIFICATE OF USE AND OCCUPANCY GUIDELINES

WHO NEEDS A CERTIFICATE OF USE AND OCCUPANCY?

All businesses within the City of Laguna Hills must obtain a Certificate of Use and Occupancy (CofUO). A Certificate of Use and Occupancy is needed for new or existing businesses (established before or after the City's incorporation), and businesses that are changing the business name, changing ownership, adding square footage to the business location, or moving to a new location. A CofUO application must be submitted to the Planning Division before you can legally occupy your building and conduct business operations.

APPLYING FOR A CERTIFICATE OF USE AND OCCUPANCY

In order to obtain a Certificate of Use and Occupancy the following materials must be submitted to the Community Development Department:

1. A completed Certificate of Use and Occupancy Application. (See reversed side)
2. **An 8½" by 11" scaled and dimensioned floor plan**, showing dimensions of all walls and any fixed equipment, total square footage and proposed use of the property/tenant space. (This is not required if CofUO application is submitted in conjunction with a tenant improvement.) All eating establishments (i.e. restaurants, donut & pastry shops and coffee shops & delicatessens) that desire "OUTDOOR DINING" must show the location and number of tables, chairs and umbrellas on the required 8½" x 11" scaled and dimensioned floor plan.
3. A completed Workers' Compensation Insurance Form.
4. A completed OCFA Plan Submittal Criteria Checklist.
5. Payment of the Certificate of Use and Occupancy Application fee (cash, credit card, or check payable to the City of Laguna Hills).

Disability Access Laws

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx.

The Department of Rehabilitation at www.rehab.cahwnet.gov.

The California Commission on Disability Access at www.cdda.ca.gov.

Uses/Occupancies involving tenant improvements

Information about plan submittal requirements can be obtained from the Building Department at (949) 707-2627. If a building permit for tenant improvement is required, the cost of the Certificate of Use and Occupancy will be included in the permit fees. Building permit fees will vary according to project improvements.

Separate permits may be required for the installation of signs. Please contact the Planning Department at (949) 707-2672 for information regarding sign regulations.

INSPECTIONS

If the occupancy does not involve tenant improvements and the business is completely set-up, contact the Building Department by calling (949) 707-2660 to schedule an on-site inspection (call before 4:00 p.m. on a business day to schedule an inspection for the following business day). Once inspected and approved, and the City receives authorization to issue from the Orange County Fire Authority, an official Certificate of Use and Occupancy will be mailed to the business location and a copy will remain on file with the City. Please note: As of March 1, 2017 Health & Safety Code 118600 requires certain all gender restroom signage that complies with Title 24 of the California Code of Regulations for all single-user toilet facilities in any business establishment.

If the occupancy involves alterations and building permits, a Certificate of Use and Occupancy will be issued following the CofUO inspection, which occurs after the final building permit inspection.



CITY OF LAGUNA HILLS
APPLICATION FOR CERTIFICATE OF USE AND OCCUPANCY

APPLICANT INFORMATION

DATE: _____

Business Name: _____ Business Phone: (____) ____-_____

Business Address: _____ Bldg/Suite#: _____

Business Fax: (____) ____-_____ Business e-mail _____

Business Owner Name: _____

Emergency Contact/Telephone: (____) ____-_____

Type of Business (Detailed Description): _____

Does your business involve: (check all that apply)

☐ Adult Uses ☐ Massage ☐ Alcohol ☐ Body Piercing/Tattoos ☐ Activities Outside of the Building

Type of Use: ☐ Retail ☐ Office ☐ Warehouse ☐ Manufacturing

Total Square Feet _____ Retail _____ (sq. ft) Office _____ (sq. ft)
Warehouse _____ (sq. ft) Manufacturing _____ (sq. ft)

Is this business: ☐ New or ☐ Existing (includes change of owners)?

Hours of Operation (Days & Hours) _____ Number of Employees: _____

State Sales Tax ID #: _____ Federal Employer ID (FEIN) _____

State License #: _____ State Employer ID (SEIN): _____

☐ I have received a copy of Chapter 5-28 of the Laguna Hills Municipal Code and agree to abide by all provisions within said chapter.

Print Name (authorized owner/manager)

Signature

PROPERTY MANAGER/LEASING AGENT INFORMATION

(check one) ☐ Property Owner ☐ Property Manager ☐ Leasing Agent

Company: _____

Address: _____

Contact: _____

Telephone: (____) ____-_____ FAX: (____) ____-_____

STAFF USE BELOW THIS LINE

Building Project#: _____ Parking Required: _____ Approved Outdoor Dining Yes ☐ No ☐

☐ O.C.F.A. approval required? _____ Center File No# _____ ☐ ☐ Databases?
(O.C.F.A. Service Request # _____ O.C.F.A. Final Approval ☐ Date: _____)

Remarks/Conditions: _____

By: _____ Date: _____ Certificate w/T.I.'s ☐
Plot Plan Attached ☐



ORANGE COUNTY FIRE AUTHORITY

COM

Plan Submittal Criteria

COMMERCIAL projects, MULTIFAMILY RESIDENTIAL projects and RESIDENTIAL TRACT developments

INSTRUCTIONS:

- Fill in the project/business address and provide a brief description of the scope of work and type of business operation that will take place.
- Answer questions 1 through 10, read and initial items 11 and 12, then complete and sign the certification section.
- If you answer: - "YES" to *any part* of questions 1 through 10, submit the type of plan indicated in italics to OCFA.
- In some cases, other plan types not indicated herein may also be necessary depending on specific conditions or operations.
- Visit www.ocfa.org for submittal information and locations. If you need assistance in filling out this form or have questions regarding requirements for review, please contact OCFA at 714-573-6108 or visit us at 1 Fire Authority Road, Irvine, CA 92602.

Address	Suite	City
Project Scope/Business Description		

- YES NO
- ☐ ☐ Construction of a new building, a new story, or increase the footprint of an existing building? Changes to roadways, curbs, or drive aisles? Addition, relocation, or modification of fire hydrants or fences/gates? Construction within 300 feet of an active or proposed oil well? *Fire Master Plan (PR145)*
 - ☐ ☐ Property is adjacent to a wildland area or non-irrigated native vegetation? *Fire Master Plan (PR145); a Fuel Modification Plan may also be required. (PR120, PR124)*
 - ☐ ☐ Located in or < 100' from a Division of Oil, Gas, and Geothermal Resources (DOGGR) field boundary, < 300' from an oil/gas seep, or < 1000' from a landfill? *Methane Work Plan. (PR170)*
 - ☐ ☐ Installation/modification/repair of underground piping, backflow preventers, or fire department connections serving private fire hydrant/sprinkler/standpipe systems? *Underground Plan. (PR470, PR475)*
 - ☐ ☐ Drinking/dining/recreation/meetings/training/religious functions or other gatherings in a room > 750 sq.ft. (> 1,000 sq.ft. for training/adult education) or > 49 people? Healthcare/outpatient services for > 5 people who may be unable to immediately evacuate without assistance? Education for children (*academic tutoring for ages 5+ is exempt unless classified as an E occupancy by the Building Official*)? Adult/child daycare? 24-hour care/supervision? Incarceration or restraint? Hotel/apartment or residential facility with 3+ units and 3+ stories (*3-story townhouses/rowhouses where an independent direct exit to grade is provided for dwelling are exempt*)? Congregate housing/dormitories with 17+ people? High-rise structure (55+ feet to highest occupied floor level)? *Architectural Plan (PR200-PR285)*
 - ☐ ☐ Installation/modification of locks delaying or preventing occupants from leaving a space or requiring use of a card, button, or similar action to open a door in the direction of exit travel? *Architectural, Sprinkler, and/or Alarm Plan depending on the occupancy and type of device installed (PR200-PR280, PR420-PR425, PR500-PR520)*
 - ☐ ☐ Installation/modification/use of spray booths; dust collection; dry cleaning; industrial ovens/drying equipment; industrial/commercial refrigeration systems; compressed gasses; tanks for cryogenic or flammable/combustible liquids; vapor recovery; smoke control; battery back-up/charging systems (> 50 gal. electrolyte, > 1,000 lb. lithium ion); welding/brazing/soldering, open flame torches, cutting/grinding; or other similar operations? *Special Equipment Plan (PR315, PR340-PR382)*
 - ☐ ☐ Storage/use/research with flammable/combustible liquids or other chemicals? Motor vehicle/aircraft maintenance/repair? Cabinetry/woodworking/finishing facility? *Chem Class & floor plan (full architectural plan if H occupancy); Special Equipment Plans may be necessary. (PR315-PR360, PR232-PR240)*
 - ☐ ☐ Storage or merchandizing areas in excess of 500 sq. ft. where items are located higher than 12' (6' for high-hazard commodities, plastic, rubber, foam, etc.)? *High-piled Storage Plan (PR330)*
 - ☐ ☐ Cooking under a Type I commercial hood; installation or modification of a fire extinguishing system located in a commercial cooking hood? *Hood & Duct Extinguishing System, not just the hood mechanical plan. (PR335)*

Initial each of the following two items indicating that you have read and understand the statement:

- ☐ *Sprinklers/Alarms: Consult Building/Fire Codes and ordinances to determine sprinkler/alarm requirements; if a system is required, plans shall be submitted for OCFA review. Existing buildings undergoing remodel must be evaluated by a licensed contractor to determine if modification is needed; if so, contractor shall submit plans prior to making modifications.
Initials _____
- ☐ Fire Hazard Severity Zone: Consult maps available at building department or on OCFA website to determine if your site is located in a FHSZ. Buildings in a FHSZ may be subject to special construction requirements detailed in CBC Chapter 7A or CRC R327—the building department will determine specific requirements.
Initials _____

I certify under penalty of perjury under the laws of the State of California that the above is true:

Print Name	Signature
Phone Number ()	Date / /

Building Department: If you have verified that all of the questions have been answered accurately as "NO", and the project does not otherwise require OCFA review of sprinkler or alarm plans*, then you may accept this signed form as a written release that OCFA review is not required. Should you still require that the applicant have plans approved by OCFA, please initial here _____ or attach an OCFA referral form and have the applicant submit the form along with the appropriate plans and fees for OCFA review.

10-08-14 EE



CITY OF LAGUNA HILLS

SMOKING REQUIREMENTS FOR BUSINESSES

All businesses are required to comply with the smoking policies established in the Laguna Hills Municipal Code Chapter 5-28. This chapter regulates where smoking is not permitted within the City and what signage is required to communicate smoking requirements.

WHERE IS SMOKING PROHIBITED?

Smoking is NOT PERMITTED in most businesses within the City of Laguna Hills. Additionally, smoking is prohibited within 20 feet of any outdoor patio or dining area. Chapter 5-28.030 and 5-28.040 list locations where smoking is prohibited.

WHAT SIGNAGE IS REQUIRED?

- “No Smoking” signage is required in all businesses where smoking is prohibited.
- “No Smoking” signs are required in all outdoor patio and dining areas. Outdoor signs must state that no smoking is allowed within 20 feet of the outdoor area where smoking is prohibited.
- All tables within outdoor patios or dining areas must have a “No Smoking” symbol affixed.
- For specific signage requirements, see Chapter 5-28.070.

RESPONSIBILITY OF BUSINESSES

- Post required signage prior to building inspection and replace within 5 days if damaged or removed.
- Remove all ashtrays from areas where smoking is prohibited.
- Verbally request any patron who is smoking to refrain from smoking where smoking is prohibited.

Compliance with smoking requirements will be a part of each Certificate of Use and Occupancy inspection. If the requirements of Chapter 5-28 are not met, a Certificate of Use and Occupancy cannot be issued by the City until the necessary corrections are made.

Chapter 5-28 is attached. Should you have any questions concerning the requirements of this chapter, please contact Code Enforcement *prior* to scheduling a building inspection. Required “No Smoking” signs must be posted to pass the building inspection and receive your Certificate of Use and Occupancy. Examples of “No Smoking” signage are also attached. Signs can be ordered online and found at some hardware and home improvement stores. It is the responsibility of the business to acquire and post signage according to the requirements set forth in Chapter 5-28 of the Laguna Hills Municipal Code.

Chapter 5-28

SMOKING AND SALE OF TOBACCO PRODUCTS*

Sections:

- 5-28.010 Purpose and findings.**
- 5-28.020 Definitions.**
- 5-28.030 Prohibition of smoking in places accessible to the public.**
- 5-28.040 Prohibition of smoking in places of employment.**
- 5-28.050 Tobacco vending machines prohibited.**
- 5-28.060 Self-service display—Requirement of vendor assisted sales.**
- 5-28.070 Posting of signs—General.**
- 5-28.080 Enforcement.**
- 5-28.090 Violation—Penalty.**
- 5-28.110 Citation authority.**
- 5-28.120 Power to adopt more restrictive smoking policies.**

*Prior History: Ord. 99-5; prior code §§ 5-15.005—5-15.120.

5-28.010 Purpose and findings.

The purpose of this chapter is to protect the public health and welfare from the harmful health effects associated with secondhand smoke by regulating smoking in public places and places of employment. In addition, the purpose of this chapter is to reduce the availability of tobacco products to minors by banning the sale of tobacco products from vending machines and from self-service displays. This chapter is based on the following findings:

- A. Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution.
- B. Studies have shown that breathing secondhand tobacco smoke is a significant health hazard for several populations, including children, elderly people, individuals with cardiovascular disease, individuals with impaired respiratory function, asthmatics, and those with obstructive airway disease.
- C. The Americans with Disabilities Act, which requires access for disabled persons in public places and work places, deems impaired respiratory function a disability.
- D. The Surgeon General of the United States found in a 1986 report that secondhand tobacco smoke is a cause of lung disease, including lung cancer, in healthy nonsmokers. The Surgeon General further found that the simple separation of smokers and nonsmokers within the same air space may reduce, but does not elimi-

nate, the exposure of nonsmokers to secondhand tobacco smoke.

- E. Studies have shown that secondhand tobacco smoke is a cause of cardiovascular disease in healthy nonsmokers.
- F. Nonsmokers with allergies, respiratory disease, and those who suffer other ill effects of breathing secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of reactions to secondhand tobacco smoke.
- G. Studies have shown some nonsmokers cannot dine in restaurants because of an adverse reaction to or annoyance from secondhand tobacco smoke.
- H. The EPA has designated secondhand smoke as a Class A carcinogen and a significant cause of respiratory problems in children.
- I. Prohibiting the sale of tobacco products through vending machines will help prevent cigarette use by minors, and by diminishing accessibility to tobacco products, will help promote a smoke-free environment.
- J. The Centers for Disease Control report that tobacco products are often the first drug used by minors who use alcohol and illegal drugs, that three out of four teenage smokers have tried to quit at least once but failed, and that although it is illegal in all states to sell tobacco products to minors, more than seventy-five (75) percent of underage tobacco users across the country are not asked to show proof of age when they purchase tobacco products in stores.
- K. The United States Department of Health and Human Services reports that the tobacco industry loses two million (2,000,000) smokers each year because they either quit smoking or die, and that those smokers are replaced by three thousand (3,000) youngsters who begin smoking every day.
- L. The Food and Drug Administration reports that if individuals do not begin to use tobacco as youngsters, they are highly unlikely to begin using tobacco products as adults, and that ninety (90) percent of all smokers begin smoking by age nineteen (19) and sixty (60) percent begin by age fourteen (14).
- M. Studies have shown that youth addiction to tobacco products is a public health problem with serious health consequences. In recognition of the Surgeon General's conclusion that nicotine is as addictive as cocaine or heroin, action is needed to curtail the easy access of minors to cigarettes and to other tobacco products.
- N. The California Youth Tobacco Survey reports that approximately fifty (50) percent of minors who

smoke cigarettes purchase their own cigarettes from stores in their communities. Additionally, a significant number of studies have shown that there is a direct correlation between self-service tobacco displays and increased youth access to tobacco products. These studies have shown that self-service tobacco displays contribute to youth access by promoting shoplifting and illegal sales of tobacco to minors.

- O. Prohibiting the sale of tobacco products through self service displays will help prevent tobacco use by minors, and diminishing accessibility to tobacco products will help promote a smoke-free environment.
- P. Numerous economic analyses examining the restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smoke-free. Creation of smoke-free workplaces is sound economic policy and provides the maximum level of employee health and safety.
- Q. The increasingly frequent use of electronic cigarettes, which emit a smoke-like vapor similar in appearance to the exhaled smoke from cigarettes and other conventional tobacco products and are largely unregulated by the federal or state government, involuntarily exposes members of the public to potentially dangerous secondhand byproducts, undermines enforcement of no-smoking laws, and threatens to undermine compliance with smoking regulations and reverse the progress that has been made in establishing a social norm that smoking is not permitted in certain locations. Therefore, it is appropriate to regulate the use, sale and distribution of electronic cigarettes in the same manner as cigarettes and other traditional tobacco products.

(Ord. 2014-5 § 3; Ord. 2005-1 § 2 (Exh. A (part)))

5-28.020 Definitions.

For the purposes of this chapter, the following words and phrases have the following meaning:

“Ashtray” means any receptacle or device used to hold, contain, or extinguish a cigarette, cigar, pipe, match, weed, plant, or other combustible substance in any form.

“Bar” means an area, which is devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of alcoholic beverages, and for which the owner/operator has a valid ABC Type 61, 41, 42, 47, or 70 liquor license.

“Business” means any sole proprietorship, partnership, joint venture, corporation, or other business entity

formed for profit-making purposes, including retail establishments where goods or services are sold, as well as professional corporations and other entities under which professional services are delivered and any nonprofit entity.

“Cigar lounge” means a private smokers’ lounge that excludes minors consisting of an enclosed area in or attached to a retail or wholesale tobacco shop that is dedicated to the use of tobacco products, including but not limited to cigars and pipes.

“Dining area” means any area containing a counter or tables upon which food or beverage are consumed or served.

“Electronic cigarette” means an electronic and/or battery-operated device, the use of which may resemble the smoking of tobacco, that can be used to deliver nicotine or other substances through vapor inhaled by the user. The term includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor, including any component, part or accessory of such a device, whether or not sold separately. The term does not include any inhaler or other device specifically approved by the United States Food and Drug Administration for therapeutic purposes or for use in the mitigation, treatment, or prevention of disease, where such product is marketed and sold solely for such an approved purpose.

“Employee” means any person who is employed by any employer for direct or indirect monetary wages or profit, including those employed full-time, part-time, temporary, or contracted for from a third party; employee also means any person who serves as a volunteer for a business or nonprofit entity.

“Employer” means any person, business, or nonprofit entity, which employs the services of one or more persons, and includes the city of Laguna Hills.

“Enclosed” means closed in by a roof and four or more connected, floor-to-ceiling walls with appropriate openings for ingress or egress.

“Food service counter area” means a bar or counter area which is primarily devoted to the service of food and where the service of alcoholic beverages is only incidental thereto. Where the gross receipts from the sale of food is more than fifty (50) percent of the total gross receipts from the bar or counter area, it shall be conclusively presumed that the bar or counter area is primarily for the service of food.

“Mall” means any enclosed public walkway or hall area, which serves to connect retail or professional establishments.

“Minor” means any person less than eighteen (18) years of age.

“Parking garage” means an enclosed garage where members of the general public park their cars.

“Person” means any individual, corporation, non-profit corporation, partnership, or unincorporated association.

“Place of employment” means any enclosed area under the control of an employer, which employees normally frequent during the course of employment. A private residence being used for home occupation purposes shall not be construed as a place of employment, except when the residence is being used for child day care and elder care which is licensed under the Health and Safety Code.

“Public place” means any area to which the public is invited or in which the public is permitted.

“Restaurant” means any eating establishment, organization, club, boardinghouse, or guest house which gives or offers food for sale to the public, guests, patrons, or employees as well as kitchens in which food is prepared on the premises for serving elsewhere, and includes outside dining areas, except that the term “restaurant” shall not include a “bar” as defined in this chapter. A restaurant includes, but is not limited to, a food service counter area, donut shop, sandwich shop, juice store, luncheonette, coffee shop, or fast food outlet of any type.

“Self-service display” means the open display of tobacco products that the public has access to without the intervention of a store employee, including but not limited to a rack, a shelf, or a counter top display.

“Service line” means any line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted cigarette, cigar, pipe, operating electronic cigarette, weed, plant, or other combustible substance in any manner or in any form.

“Sports arena” means an enclosed sports pavilion, gymnasium, health spa, boxing arena, swimming pool, roller and ice rink, bowling alley, and other similar places where members of the general public assemble to either engage in physical exercise, participate in athletic competition, or witness sports events.

“Tobacco product” means any manufactured substance made from the tobacco plant, including but not limited to cigarettes, cigars, pipe tobacco, smokeless tobacco

products or any other form of tobacco or tobacco papers which may be utilized for smoking, chewing, inhalation, or other means of ingestion. For purposes of this chapter, the term “tobacco product” shall also include an electronic cigarette, as defined in this chapter.

“Tobacco retailer” means any person or business that operates a store, stand, booth, concession, or other place at which sales of tobacco, tobacco products, or tobacco paraphernalia are made to purchasers for consumption or use.

“Tobacco shop” means a business establishment whose principal purpose is the sale of tobacco products, including but not limited to, cigars, pipe tobacco, and smoking accessories.

“Tobacco vending machine” means any machine or device designed for or used either wholly or partly for the vending of cigarettes, cigars, tobacco, or tobacco products upon the insertion of coins, bills, or slugs.

“Vendor-assisted” means a purchase requiring a direct, face-to-face exchange between the store proprietor or employee and the customer, in which the store proprietor or employee assists the customer by supplying the tobacco product. The customer does not take possession of the tobacco product until after it is purchased.

“Work area” or “workplace” means any area of a place of employment enclosed by floor to ceiling walls in which two or more employees are assigned to perform work for an employer. (Ord. 2014-5 § 4; Ord. 2005-1 § 2 (Exh. A (part)))

5-28.030 Prohibition of smoking in places accessible to the public.

Smoking is prohibited and is unlawful in the following public places and other public places similarly situated, including, but not limited to, the following areas:

- A. All enclosed areas (including lobbies, hallways, and other common areas) available to and customarily used by the general public, including, but not limited to, the public area of retail stores, a bank, and other service establishments;
- B. Elevators, escalators, and stairways;
- C. Public restrooms;
- D. Service lines;
- E. All reception and waiting areas;
- F. Galleries, libraries, and museums;
- G. Within any facility which is primarily used for, or designated for the primary purpose of, exhibiting any motion picture, stage drama, lecture, musical recital, or other similar performance;
- H. All enclosed areas available to and customarily used by the general public in hotels and motels, including,

but not limited to, lobby and registration areas, hallways, dining areas, banquet and conference rooms, and retail shops; smoking may be permitted in sixty-five (65) percent of guest rooms at the discretion of the management;

- I. Public parks, sports arenas, and convention halls;
- J. Video arcades, bingo parlors, card rooms, game rooms, pool halls, dance halls, and other amusement centers;
- K. Child day care and elder care facilities as defined in the California Health and Safety Code and private residences while used as family day care homes;
- L. Rooms, chambers, or other enclosed areas where a meeting is being held which is or can be attended by the general public;
- M. Retail food marketing establishments, including grocery stores, supermarkets, and convenience stores;
- N. Restaurants, public and private, including outdoor patio and dining areas;
- O. Within twenty (20) feet of an outdoor dining or patio area;
- P. Theaters and theater-bar combinations;
- Q. Laundromats;
- R. Beauty shops, nail parlors, barber shops, or similar uses;
- S. Lobbies, hallways, and other common areas in apartment buildings, condominiums, retirement facilities, and nursing homes;
- T. Malls;
- U. Polling places;
- V. Parking garages;
- W. Bars;
- X. Public transportation facilities, including waiting areas and bus stops;
- Y. Within twenty (20) feet of main entrances, exits, and operable windows of any building owned, leased, and occupied by the state, county, or city, and buildings of the University of California (UC), California State University (CSU), and California community colleges;
- Z. Within all facilities and areas specified by state law, including workplaces, schools, tot lots, and playgrounds.

(Ord. 2005-1 § 2 (Exh. A (part)))

5-28.040 Prohibition of smoking in places of employment.

Except as otherwise prohibited by Section 5-28.030, smoking is also prohibited and is unlawful in all enclosed facilities within a place of employment. This includes common work areas, auditoriums, classrooms, conference

and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, and all other enclosed facilities. (Ord. 2005-1 § 2 (Exh. A (part)))

5-28.050 Tobacco vending machines prohibited.

No cigarette or other tobacco product may be sold, offered for sale, or distributed by or from a tobacco vending machine. No tobacco vending machines shall be placed or maintained in any public place or place of employment. (Ord. 2005-1 § 2 (Exh. A (part)))

5-28.060 Self-service display—Requirement of vendor assisted sales.

It shall be unlawful for any person, business, or tobacco retailer to display for sale or to sell any tobacco product by means of a self-service display. All sales of any tobacco products shall be vendor-assisted. The provisions of this section shall not apply to tobacco shops and cigar lounges as defined in this chapter. (Ord. 2005-1 § 2 (Exh. A (part)))

5-28.070 Posting of signs—General.

Every public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited, as follows:

- A. Indoor Sign Requirements. “No Smoking” signs with letters of not less than one inch in height, and the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly posted (and visible from the interior) on every entrance door, or within five feet of an entrance door, and sufficiently and conspicuously posted at other appropriate locations within the building (i.e. kitchen, restroom, etc.) by the owner, operator, manager, or other person having control of such building or other place. Signs, which have been removed, shall be replaced within five working days.
- B. Outdoor Sign Requirements. “No Smoking” signs, with letters of not less than one inch in height, and the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly posted (and visible from the exterior) on every entrance door, or within five feet of every entrance door, by the owner, operator, manager, or other person having control of such building or other facility. “No Smoking” signs, with letters of not less than one inch in height, and the international “No

Smoking” symbol shall be posted in the outdoor dining areas, which specifically state that smoking is not allowed within twenty (20) feet of every outdoor area regulated by this chapter. In addition, a “No Smoking” sign or the international “No Smoking” symbol shall be attached to the top of every outdoor dining table, so that it is clearly visible. No ashtrays are allowed in any outdoor dining area. Signs, which have been removed, shall be replaced within five working days.

(Ord. 2005-1 § 2 (Exh. A (part)))

5-28.080 Enforcement.

The City Manager or his or her designee and the City Attorney shall enforce this chapter.

- A. Registration of Complaints. Any citizen, employee, or business patron who desires to register a complaint under this chapter may initiate enforcement with the City Manager or his or her designee.
- B. Inspection. As part of any certificate of use and occupancy application, the city’s Community Development Department shall provide a copy of this chapter’s regulations to the new business. At final inspection and prior to issuance of the certificate of use and occupancy permit, the Department shall verify that all requirements of this chapter have been complied with.
- C. Duty to Orally Inform. Except under circumstances involving a risk of physical harm to the employer or any employee, an owner, manager, or authorized agent of any business regulated by this chapter, shall orally request a non-employee who is smoking to refrain from smoking where smoking is prohibited.
- D. Responsibility of Businesses. It is unlawful for any person who owns, operates, manages, or otherwise controls the use of any business subject to the restrictions of this chapter, to fail to comply with its provisions. All ashtrays shall be removed from any area where smoking is prohibited in this chapter. However, the owner, operator, manager or other person having

NO SMOKING



Smoking is prohibited in this
establishment

Laguna Hills Municipal Code Sections 5-28.030 and 5-28.040

NO SMOKING



Smoking is prohibited within **20 feet** of
the outdoor dining area

Laguna Hills Municipal Code Sections 5-28.030 and 5-28.040



Commercial Organic Waste Recycling

State Mandatory (AB 1826)

California Legislature AB 1826

Summary:

• Starting January 1, 2019, a business or multi-family dwelling with 5 or more units that generates four cubic yards or more of commercial solid waste, per week, shall arrange for organic waste recycling services.

• All businesses (this includes multi-family dwellings that have 5 or more units) are required to be in compliance with AB 1826 by recycling all organic waste generated by landscaping and gardening maintenance activities occurring on site.

• Businesses within commercial centers with a shared trash system, are required to comply with AB 1826 if, collectively, all tenants generate four or more yards of organic waste per week.

What is Organic Waste?

• Food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

Food Waste Recycling-CR&R:

The City of Laguna Hills and CR&R Environmental Services have developed a Commercial Food Waste Recycling Program to help businesses meet the requirements of AB1826. CR&R can provide businesses or commercial centers with food waste collection receptacles of various sizes, and can collect these containers up to six days per week. CR&R is the City's franchised waste hauler. Contact CR&R customer service at the number below to order organic waste containers.

1 (800) 826-9677 (Press 3).

Starting January 1, 2019

Businesses that generate 4 cubic yards or more of commercial trash per week shall arrange for organic waste recycling services.

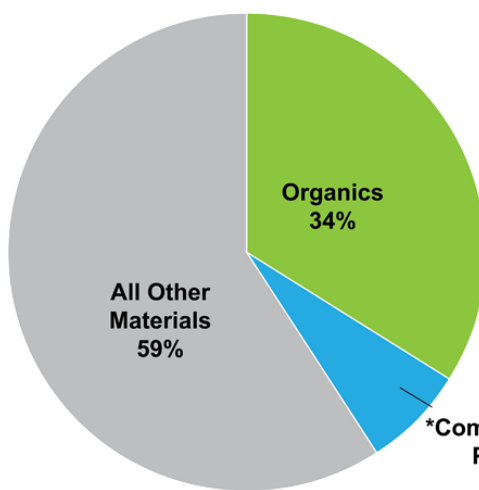
How much is 4 cubic yards?

- **Dimensions:** 6 feet x 4.5 feet x 4 feet.
- **Volume:** 4 cubic yards (roughly 48 regular trash bags or 850 pounds)



Organics in California's Overall Disposed Waste Stream 2014

Data from CalRecycle's 2014 Waste Characterization Report



Organics Include

- Food Waste
- Landscape Trimmings
 - Leaves
 - Grass
 - Trimmings
 - Branches
 - Stumps
- Non-Hazardous Wood Waste
- *Compostable Paper

*Compostable paper includes food-soiled paper and other compostable paper

Examples of food-soiled paper: Napkins, tissues, paper plates & cups, to-go containers, food-service wrappers, pizza boxes.

*Boxes or food-service products such as wrappers, cups & bags that are lined with polyethylene or other synthetic grease-resistant compounds are **not compostable**.

Commercial Organic Waste Recycling

(Continued)

In 2014, CalRecycle reported that over 40 percent of the material Californians disposed in the landfill was organic waste that could have been recycled.

The requirement to recycle organic waste can be met by taking one or any combination of the following actions*:

- Source-separate organic waste from other waste and subscribe to an organic waste recycling service that specifically includes collection and recycling of organic waste.
- Recycle organic waste on-site, or self-haul organic waste for organic recycling.
- Subscribe to an organic waste recycling service that includes mixed-waste processing that specifically recycles organic waste.
- Sell or donate the generated organic waste.

***Actions must be in compliance with local ordinances and requirements.**



RESOURCES

www.findacomposter.com

www.calrecycle.ca.gov/recycle/commercial/organics

www.epa.gov/anaerobic-digestion

www.crrwasteservices.com/cities/california/county-of-orange/laguna-hills/businesses/

Cubic yard calculator (Convert dimensions of a 3D object (in feet) to volume in cubic yards)

$(\text{Length in feet}) \times (\text{Width in feet}) \times (\text{Height in feet})$

27

=

Cubic yards

Donating Edible Food

Waste Not OC Coalition (855) 700-9662

Food Finders (562) 283-1400 x105

Second Harvest of Orange County (949) 653-2900.

CR&R Customer Service

1-(800)-826-9677 (Press 3)

To answer questions about organic waste recycling or for free assistance with implementing an organic waste recycling program please contact EcoNomics or CR&R at the following:

EcoNomics Inc.

Geiza@economicsinc.net

(949) 324-5314

Craig Dibley CR&R

CraigD@CRRmail.com

(714) 372-8287



DISABILITY ACCESS REQUIREMENTS AND RESOURCES

NOTICE TO APPLICANTS FOR NEW BUSINESSES AND COMMERCIAL BUILDING PERMITS:

This notice is provided in compliance with AB3002. Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF
GENERALSERVICES,
Division of the State
Architect, CASp Program

www.dgs.ca.gov/dsa

www.dgs.ca.gov/casp

DEPARTMENT OF
REHABILITATION
Disability Access Services

www.dor.ca.gov

www.rehab.cahwnet.gov/

disabilityaccessinfo

DEPARTMENT OF
GENERALSERVICES,
California Commission on
Disability Access

www.cdda.ca.gov

www.cdda.ca.gov/resources-menu/

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the City, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them.

To find a CASp, visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

GOVERNMENT TAX CREDITS, TAX DEDUCTIONS AND FINANCING

State and federal programs to assist businesses with access compliance and access expenditures are available:

Disabled Access Credit for Eligible Small Businesses

FEDERAL TAX CREDIT—Internal Revenue Code Section 44 provides a federal tax credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. For more information, refer to Internal Revenue Service (IRS) Form 8826: Disabled Access Credit at www.irs.gov.

STATE TAX CREDIT—Revenue and Taxation Code Sections 17053.42 and 23642 provide a state tax credit similar to the federal Disabled Access Credit, with exceptions. For more information, refer to Franchise Tax Board (FTB) Form 3548: Disabled Access Credit for Eligible Small Businesses at www.ftb.ca.gov.

Architectural and Transportation Barrier Removal Deduction

FEDERAL TAX DEDUCTION—Internal Revenue Code Section 190 allows businesses of all sizes to claim an annual deduction for qualified expenses incurred to remove physical, structural and transportation barriers for persons with disabilities. For more information, refer to IRS Publication 535: Business Expenses at www.irs.gov.

California Capital Access Financing Program

STATE FINANCE OPTION—The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) financing program assists small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the federal ADA. Learn more at www.treasurer.ca.gov/cpcf/calcap/.

FEDERAL AND STATE LEGAL REQUIREMENTS ON ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) —The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities. Learn more at www.ada.gov.

CALIFORNIA BUILDING CODE (CBC)—The CBC contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the version of the CBC in place at the time of construction or alteration. Learn more at www.bsc.ca.gov.

Laguna Hills City Hall
24035 El Toro Road
Laguna Hills, California 92653

Building Counter Hours
M-Th: 1:00 p.m. – 5:30 p.m.
Fri: 1:00 p.m. – 5:00 p.m.

(Issued 12-28-18)

**STATE REQUIRED HANDOUT –
SENATE BILL 748**

MANDATORY ADA DISCLOSURE

ATTENTION: You may be subject to liability for failure to meet your obligation to comply with state and federal accessibility laws. The recent issuance or renewal of a business or equivalent instrument or permit does not mean that your business has been determined to be in compliance with state and federal disability access laws.

Please see the attached materials for more information

(1) Schedule an inspection with a Certified Access Specialist.

A Certified Access Specialist (CASP) is a person who the State of California recognizes as having specialized knowledge of accessibility standards. They can inspect your business and tell you what changes you need to make for your business to be accessible to disabled people. Getting a CASP inspection has important benefits, like giving you extra protection in a lawsuit.

To find a CASP in your area, contact the CASP program at the Division of the State Architect. You can also visit.

https://www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

Additionally, you should contact your local government and ask what resources it has to help businesses comply with disability access laws.

(2) Learn about accessibility laws from reliable sources.

There is a lot of misinformation about accessibility laws. Get information about your rights and responsibilities as a business owner from reliable, trustworthy sources. California has several agencies that provide fact sheets, trainings and other educational materials about accessibility. In fact, one of these agencies, the California Commission on Disability Access, was created by the legislature for the purpose of helping businesses comply with accessibility laws. You should contact the following agencies and ask for information on how to comply with accessibility laws:

The California Commission of Disability Access:

www.ccda.ca.gov.

The Division of the State Architect: www.dgs.ca.gov.

The Department of Rehabilitation: www.dor.ca.gov.

New California State Mandate – AB 783

Posted on November 28, 2023



California
LEGISLATIVE INFORMATION

Starting January 1st, 2024, the State of California requires businesses with a single-user toilet facility to identify such facility as all-gender toilet facilities per legislation AB 783.

AB 783 is related to AB 1732 (Ting) from 2016, which enacted a restroom policy requiring all single-occupancy restrooms in business, government buildings, and places of public accommodation be available to everyone. AB 1732 authorized health inspection officials to check for compliance during health inspections. AB 783 is designed to boost compliance with AB 1732 by ensuring businesses are aware of the requirements.

For more information regarding this new state mandate or any other state mandates that may affect your business please visit [State Business Notices \(hdlgov.com\)](https://hdlgov.com)

Assembly Bill No. 783

CHAPTER 223

An act to add Section 16000.2 to the Business and Professions Code, relating to restrooms.

[Approved by Governor September 23, 2023. Filed with
Secretary of State September 23, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 783, Ting. Business licenses: single-user restrooms.

Existing law authorizes the legislative body of an incorporated city and the county board of supervisors to license businesses carried on within their respective jurisdictions and to set license fees as specified. Existing law requires all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities, as specified.

This bill would require a city, county, or city and county that issues business licenses, equivalent instruments, or permits within its jurisdiction to provide written notice to each applicant for a new or renewed business license, equivalent instrument, or permit of the requirement that all single-user toilet facilities in any business establishment, place of public accommodation, or government agency be identified as all-gender toilet facilities. By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, counties, and cities and counties, including charter cities, counties, and cities and counties.

The people of the State of California do enact as follows:

SECTION 1. Section 16000.2 is added to the Business and Professions Code, to read:

16000.2. A city, county, or city and county that issues business licenses, equivalent instruments, or permits within its jurisdiction shall provide written notice of the requirements of Section 118600 of the Health and Safety Code

to each applicant for a new or renewed business license, equivalent instrument, or permit.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 3. The Legislature finds and declares that access to gender-neutral single-user restrooms is a matter of safety and inclusiveness to all and thus is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act adding Section 16000.2 to the Business and Professions Code applies to all cities, counties, and cities and counties, including charter cities, counties, and cities and counties.

AB 783 – Single-User Restrooms

Under Business and Professions Code section 16000.2, you are hereby notified that Section 118600 of the Health and Safety Code requires you to identify all single-user toilet facilities in your business as all-gender toilet facilities on compliant signage.

Details are available in Section 118600 at:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=118600.





**ALL GENDER
RESTROOM**



All Gender
Restroom