



## The Best Smoke-Free Housing Policies

More than 13,000 multifamily housing and condominiums in Colorado have adopted no-smoking or smoke-free policies already and are listed at [mysmokefreehousing.com](https://mysmokefreehousing.com) free of charge by GASP (Group to Alleviate Smoking Pollution). Smoke-free policies help cut maintenance costs, reduce fire risks, reduce insurance premiums, and resident or staff complaints of secondhand smoke or vape exposure causing health problems. There is no safe exposure to secondhand smoke.

### A “smoke-free” policy should prohibit smoking anywhere on the property including:

- All indoor and outdoor areas, all common areas, individual units, balconies, patios, and porches.
- 25 feet or more away from any part of a building such as entrances, windows, doors, and air intakes.

### At a minimum a “no-smoking” policy should prohibit smoking in:

- All indoor areas, common areas, individual units, balconies, patios, and porches.
- 25 feet from any main entrances (required by state law except in some local jurisdictions).
- Designated smoking areas should be placed 15 to 25 feet away from any residential building.

GASP recommends that electronic smoking device usage (vaping) and marijuana smoking be included in either policy. To be listed at [mysmokefreehousing.com](https://mysmokefreehousing.com) properties must meet the above guidelines.

The Colorado Clean Indoor Air Act of 2006 defines an indoor area as “any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.” If an outdoor gazebo is enclosed, it would be considered an indoor area and therefore smoking should not be allowed.

Policies that allow residents to smoke on their balconies, on porches, or near buildings should not be considered a no-smoking or smoke-free policy. Secondhand smoke travels through ventilation, pipes, shafts, and light fixtures which means people are still being exposed. Housing providers that claim to be a smoke-free but still allow smoking on balconies, porches, or next to building may be subject to fair housing or false advertising complaints. Allowing some people to continue to smoke during the transition or adoption of a smoke-free policy will increase resident friction and distrust of the housing provider. It may also lead to fair housing or false advertising complaints. The best practice is to set a finite date for policy implementation that applies to all residents and avoid drawing it out for longer than a year.

This fact sheet is provided as a public service and is not intended as legal advice.

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Information about GASP and secondhand smoke | [gaspforair.org](https://gaspforair.org)  
Smoke-free housing listings and resources | [mysmokefreehousing.org](https://mysmokefreehousing.org)  
Information on secondhand marijuana smoke | [smokeissmoke.com](https://smokeissmoke.com)