



**COMPLAIN RE: PROHIBITING SMOKING IN MULTI-UNIT RESIDENCE
(Firebaugh Municipal Code 19-02)**

On the following date and time at the address listed below, I, the Complainant, witnessed a violation of Firebaugh Municipal Code 19-02 (prohibited smoking in a unit or common area of a multi-unit residence) as follows:

Date of violation: _____ Time of violation: _____

Location of violation, i.e. where the smoke is coming from:

Note: This must be in the same multi-unit residence as where the Complainant resides, e.g. hallway, common area, another unit, etc.

Duplex (2 units): Yes, or No _____

Name, if known, and address of person responsible for violation (tenant(s)/owner-occupant):

Complaint - [describe violation and your observations; it is recommended to attach evidence (photos of smokers, statements from 3rd party witnesses, etc.) in support of your complaint]:

I acknowledge the following:

1. I am a resident in a multi-unit residence within the City of Firebaugh;
2. If this is the 1st complaint, City of Firebaugh Code Enforcement staff will review the complaint and if they find the complaint contains enough information to move forward, they will consider the matter for further action.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed in Firebaugh, California, on _____ at _____ am/pm

[Signature]

[Print name]

Complainant's Address: _____

Please note that a copy of your complaint will also be sent to your Landlord/Property Manager if and only if you complete the contact information below **[optional]**:

Landlord/Property Owner Name: _____

Landlord/Property Owner Address: _____

Mail to: City of Firebaugh
1133 P Street
Firebaugh, CA 93622

Completed forms are accepted by mail and in-person at 1133 P Street, Firebaugh CA 93622. Please allow 10 days processing. **Please refer to the "Prohibited smoking in Multi-unit residence Complaint Form Information Sheet" for more information.**

If you would like to receive confirmation that your form has been received, please provide your email address and phone number.

[Email Address]

[Phone Number]

PROHIBITED SMOKING IN MULTI-UNIT RESIDENCE COMPLAINT FORM
INFORMATION SHEET

1. Mail forms and drop forms off in person (at address below) will be accepted. Mail to:
City of Firebaugh, Smoke-Free Multi-Unit Housing Complaint, 1133 P Street
Firebaugh, CA 93622
2. Please fill out the complaint form as completely as possible. **Incomplete forms may delay the processing of your complaint.** Please allow 10 days for processing.
3. Please identify the person who is responsible for the violation. If the violation is by a renter ("tenant") or owner-occupant in your building, list the tenant or owner-occupant by name and address, including unit number. If the violation is by a visitor/guest of a tenant or owner-occupant, list the tenant or owner-occupant. To file a complaint, you must live in the same building as the responsible person. See Firebaugh Municipal Code Section 3-12.6 (D): The tenant(s) of a unit, who breaches a Smoking provision of a lease or other rental agreement for the occupancy of a Unit in a Multi-Unit Residence, or who knowingly permits any other Person subjected to the control of the tenant or present by invitation or permission of the tenant, shall be liable for the breach to (1) the Landlord and (2) any occupant of the Multi-Unit Residence who is exposed to Smoke or who suffers damages as a result of the breach.
4. The remedies provided by Article are cumulative and in addition to any other remedies available at law or in equity.

A Violations of this Article are subject to a civil action brought by the district attorney or the city attorney, and are punishable by
5. The first complaint will be, a fine of not less than one hundred dollars (\$100.00) and not exceeding two hundred fifty dollars (\$250.00) for a first violation in any sixty (60)-month period; or
6. The second complaint will be, a fine of not less than two hundred fifty dollars (\$250.00) and not exceeding five hundred dollars (\$500.00) for a second violation in any sixty (60)-month period; or
7. The third complaint will be, a fine of not less than five hundred dollars (\$500.00) and not exceeding one thousand dollars (\$1,000.00) for a third or subsequent violation in any sixty (60)-month period.
8. The City encourages complainants to address the issue with their landlord first, if possible. Please understand that alternative options for enforcement exist.
9. For more information, please visit www.firebaugh.org or call (559) 659-2043 Ext. 209