



City of Worthington Goes Smoke-Free

*Important information for City of Worthington
Business Owners, Employees and Residents*

What is the effective date of the new ordinance?

The new Clean Air Ordinance takes effect September 30, 2004.

Where is smoking prohibited?

The ordinance makes virtually all establishments and businesses with employees smoke-free, as well as outdoor areas immediately adjacent to the main entrance of such establishments.

What does “place of employment” include?

Places of employment are defined as any enclosed area under the control of an employer. Public places are defined as the enclosed areas to which the public is invited or in which the public is permitted. These include, but are not limited to the following:

- Restaurants & bars
 - Private offices
 - Work areas
 - Employee lounges
 - All areas immediately adjacent to entryways to businesses and public places
 - Elevators, stairways & hallways
 - Classrooms, auditoriums & libraries
 - Storage, file, mail & copying rooms
 - Conference rooms, meeting rooms & restrooms
 - Factories, warehouses, garages & laboratories
 - Taxis, limousines & company owned or leased vehicles used for a business purpose
 - Private residences used as a childcare, adult daycare or healthcare facility
 - Employee gymnasiums & common areas
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Where is smoking permitted?

There are some locations that are exempt from the Clean Air Ordinance. They include:

- Private residences, unless they are used as a place of employment with employees and/or public access
- Designated smoking hotel rooms
- Offices of self-employed or family-owned business in which all employees are related to the owner, but only if the business is not open to the public
- Retail tobacco stores in operation prior to the effective date of the ordinance
- Most outdoor patios
- Private clubs that hold a liquor permit and have no nonmembers present.

What about smoking on outdoor patios?

Smoking is permitted on outdoor patios, which are defined as areas having no roof or overhead covering. If patios are enclosed overhead, they must have no more than two walls for smoking to be permitted.

All areas immediately adjacent to the main entryways of any enclosed area shall be non-smoking areas to ensure that tobacco smoke does not enter the enclosed area through entrances, windows, ventilation systems, or other means.

What are the penalties for violating the ordinance and who can be penalized?

The Worthington Division of Police is responsible for enforcement of the Clean Air Ordinance. Violations of the Clean Air Ordinance are minor misdemeanors and include a written warning for a first-time offense. Subsequent offenses are punishable by a maximum fine of \$150.

The law applies to the business proprietor, not the smoker. The proprietor is defined as the person in charge or control of a Public Place or Place of Employment, such as the owner, manager, operator, or liquor permit holder.

Who do I contact to file a complaint?

Call the City of Worthington Division of Police at 885-4463. The name of the establishment, correct address, date, time and a description of the violation will be required when filing a complaint.

Complying with the new ordinance.

- Update your workplace smoking policy. A written smoke-free policy must be completed, posted and shared with your employees within 3 weeks of its adoption but no later than March 31, 2005.
 - Talk with customers and employees about the law and prepare them for changes.
 - Discuss the new law with employees including what they should do to comply with the law:
 - Request any person smoking to refrain from smoking inside the workplace.
 - Refer to the law and to workplace policy when dealing with refusals to not smoke in the workplace. Remind them the business or building owner may be assessed fines for violations.
 - Post conspicuous “no smoking” signs at all entrances as required stating that smoking is prohibited. All signs must also contain a method and manner for reporting violations.
 - Remove all ashtrays and all receptacles for the disposal of smoking materials from the premises as required.
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Thank you for your support in making Worthington a Smoke-Free Community. Please contact the City of Worthington for additional information or compliance support at (614) 436-3100.



City of Worthington
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