



# CLEAN INDOOR AIR ACT OF 2006 Ordinance Summary

## Smoke-free Places Include...

- All enclosed public places and places of employment shall be smoke-free effective December 8, 2006 (unless noted otherwise). Smoke-free places include but are not limited to:
  - Aquariums, galleries, libraries and museums
  - Offices, banks, laundromats, hotels, motels
  - Bars – not more than 10% of the gross sales receipts of the business are supplied by food purchases (Effective date March 7, 2007)
  - Bingo facilities
  - Convention facilities
  - Elevators
  - Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical recital, or other similar performance
  - Health care facilities
  - Lobbies, hallways and other common areas in apartment buildings, condominiums, retirement facilities, nursing homes and other multiple-unit residential facilities
  - Polling places
  - Public transportation facilities, including buses and taxicabs under the authority of the City of Lee's Summit, and ticketing, boarding, and waiting areas of public transit depots
  - Restaurants – (Effective date for previously classified "smoke restricted" restaurants was March 7, 2007). All other restaurants are smoke-free effective December 8, 2006.
  - Restrooms, lobbies, reception areas, hallways and other common-use areas
  - Retail stores
  - Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the City of Lee's Summit or a political subdivision of the State when a public meeting is in progress, to the extent the place is subject to the jurisdiction of the City of Lee's Summit
  - Service Lines
  - Shopping malls
  - Sports arenas, including enclosed places in outdoor arenas
  - Pool halls and billiard parlors
  - Subdivision Homeowners' Association facilities

## Places Where Smoking Is Still Allowed...

- Private residences, except when used as a licensed child care, licensed adult day care, or licensed health care facility
- Private vehicles
- Hotel and motel rooms that are rented to guests and are designated as smoking rooms provided that not more than 20 % of rooms rented to guests in a hotel or motel may be so designated
- Private and semiprivate rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested to the management thereof in writing to be placed in a room where smoking is permitted
- Outdoor areas of places of employment (unless designated as non-smoking)
- Retail tobacco stores as defined in Section 17-303 of the Clean Indoor Air Act in operation prior to the effective date of the Act.
- Private Clubs as defined in Section 17-303 of the Clean Indoor Air Act



### **Owners' Obligations...**

- Post "No Smoking" signs or 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) at every entrance to the facility. Signs shall be conspicuously posted.
- Remove all ashtrays and other smoking receptacles from any area where smoking is prohibited by the Clean Indoor Air Act.

### **Violations and Penalties...**

- Any person who violates the Clean Indoor Air Act by smoking in an area where smoking is prohibited shall be guilty of an infraction, punishable by a fine not exceeding fifty dollars (\$50) for each infraction
- A person who owns, manages, operates or otherwise controls a public place or place of employment and who fails to comply with the Clean Indoor Air Act shall be guilty of an infraction punishable by:
  - A fine not exceeding one hundred dollars (\$100) for a first violation
  - A fine not exceeding two hundred dollars (\$200) for a second violation within one (1) year.
  - A fine not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.
  - Potential suspension or revocation of the business license pursuant to Section 28-41 of the Lee's Summit Code of Ordinances