

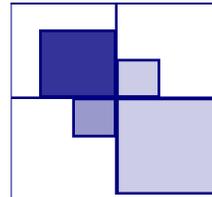
**For further
information
contact:**

City of Independence
Health Department
Health Promotion Division
515 S. Liberty
Independence, MO 64050
816-325-7185
Fax 816-325-7074

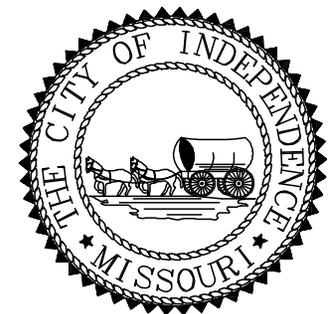
www.independencemo.org



This brochure is intended to be a general reference guide for the City of Independence Clean Indoor Air Act of 2006 and not intended to be comprehensive or to provide an authoritative legal interpretation.



**The City of
Independence
Clean Indoor
Air Act of
2006**



Clean Indoor Air Act

Effective Date

In November 2006, the citizens of the City of Independence voted to enact a Clean Indoor Air Act that prohibits smoking within enclosed areas of public places and places of employment. This law takes effect March 17, 2007.

Definitions

An “enclosed area” is defined as “all space between a floor and ceiling that is enclosed on all sides by walls or windows (exclusive of doorways).”

A “public place” means an enclosed area to which the public is invited or in which the public is permitted, including but not limited to banks, bars, educational facilities, health care facilities, laundromats, public transportation facilities, reception areas, restaurants, casinos, food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a “public place” unless it is used as a child care, adult day care, or health care facility.

Owner Compliance

Under this ordinance the employer is responsible for communicating this policy to all existing employees by the effective date of this law and to all prospective employees upon their application for employment.

The owner is responsible for notifying patrons found to be in violation of this ordinance to comply.

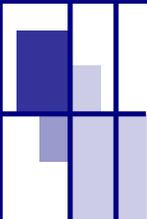
“No Smoking” signs or the international “No Smoking” symbol shall be clearly and conspicuously posted at every entrance.

Ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this ordinance.

Smoking Restriction Exemptions

The following places are specifically excluded from the Clean Indoor Air Act:

- ⌘ Private residences, except when such homes/residences are used for licensed child care, adult daycare, or health care facility.
- ⌘ Private vehicles
- ⌘ Hotel or motel rooms that are rented to guests and are designated as smoking rooms; provided however, that not more than twenty percent (20%) of rooms rented to guests in a hotel or motel may be so designated.
- ⌘ Outdoor areas of places of employment
- ⌘ 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.
- ⌘ All enclosed facilities, including buildings and vehicles owned, leased, or operated by the City of Independence shall be subject to the provisions of this ordinance, except for certain areas of fire stations as defined by City written policy.

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|  | <p>To obtain a copy of the Independence Clean Indoor Air Act of 2006, contact the City of Independence</p> <p>www.independencemo.org</p> <p>or the City Clerk's office located in City Hall at 111 E. Maple Ave</p> |
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Penalties for Employers

- ⌘ 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 a third violation within one (1) year and for any additional violations during the year.
- ⌘ In addition, violations may result in the suspension or revocation of any permit or license issued to the person by the City for the premises on which the violation occurred.
- ⌘ Each day on which a violation of this Ordinance occurs shall be considered a separate and distinct violation.

Penalties for Individuals

The owner, manager or employee shall inform persons violating this ordinance to comply. Violators may be reported to the City Health Department.

- ⌘ Persons who smoke in an area where smoking is prohibited by this Ordinance, and after being advised that smoking is prohibited and refuses to comply, shall be guilty of an infraction, punishable by a fine not exceeding Fifty Dollars (\$50) for each infraction.