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To: Restaurants, Bars, Bowling Alleys, Bingo Hall Owners, other Business and Industry Organizations and the General Public

From: The Cuyahoga County Public Health Collaborative

Date: December 1, 2006

Re: Smoke Free Indoor Air legislative requirements

On November 7, 2006, Ohio voters passed Issue 5, creating Ohio's new smoking ban under a new Chapter 3794 of the Ohio Revised Code (ORC). This new law requires public places and workplaces to be smoke free as of December 7, 2006. This law also requires the director of health to adopt rules focusing on education of the public and businesses as well as the designation of enforcement authority and enforcement procedures.

ORC Chapter 3794 is effective December 7, 2006. Businesses and organizations are required to comply with the statute starting December 7, 2006.

The Director of Health has six months, or until June 7, 2007, to adopt rules. However, the Ohio Department of Health (ODH) hopes to have the rules adopted before the June 7th deadline. On December 7, 2006, the major requirements of the statute include:

- 1) Prohibiting smoking in any public place or place of employment.
- 2) Removing all ash trays and other receptacles used for disposing of smoking materials from any area where smoking is prohibited by the statute.
- 3) Posting conspicuous signs in every public place and place of employment where smoking is prohibited, including at each entrance.
 - a. The statute requires these signs to say "No Smoking" or have the "No Smoking" international symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it).
 - b. The signs must be clearly legible and shall contain a toll free number for reporting violations.

Downloadable versions of acceptable signs will be posted on the ODH main web site at www.odh.ohio.gov or on any of our local health department websites. These signs will include the toll free number for reporting violations [1-866-559-OHIO (6446)].

ODH has established two toll free lines:

Toll-free enforcement line: **1-866-559-OHIO (6446)**

e-mail: nosmoke@odh.ohio.gov

These lines should be used for all enforcement related questions after Nov. 21, 2006 or to report violations after Dec. 7, 2006. This telephone number must appear on No Smoking signs as required by Section 3794.06 of the Revised Code.

Toll-free information line: **1-866-ODH (634)-7654**

e-mail: smkinfo@odh.ohio.gov

These lines should be used for general information concerning the law or for non-enforcement related questions.

The Cuyahoga County Public Health Collaborative has formed a **Smoke Free Advisory Council** comprised of various industry sectors that must comply with the law. Their role will be to assist in the development of our approach toward industry education and meeting the requirements in a uniform way throughout Cuyahoga County. We will provide regular updates through our websites where you will also find additional information concerning this issue.

The websites for the health departments can be found at:

Cleveland Department of Public Health: www.clevelandhealth.org

Lakewood Health Department: <http://www.lkwdpl.org/city/health.htm>

Shaker Heights Health Department: <http://www.shakeronline.com/dept/health/>

Cuyahoga County Board of Health: www.ccbh.net

Until the rules are developed, we will respond to any complaints that we receive by working with business owners to assure that their business is smoke free under the new law.

Thank you in advance for helping us clear the air and ultimately improving the health of the citizens of Cuyahoga County.