

## For Additional Information

This pamphlet is intended to be an overview of the city's ordinance and is not an exact replica of the law. A copy of the City's Smoke-Free Indoor Air Act can be obtained from the City's website at [www.cityofhilliard.com](http://www.cityofhilliard.com). No Smoking and other signs needed for compliance can also be downloaded from the website.

For those seeking to quit smoking, call the Ohio Tobacco Quit Line at 1-800-934-4840.



Hilliard Municipal Building  
3800 Municipal Way  
Hilliard, Ohio 43026

hone: 614-876-7361  
Fax: 614-777-0063  
[www.cityofhilliard.com](http://www.cityofhilliard.com)

## Hilliard City Council

**Council President**  
Bill Uttley

**Council Vice-President**  
Mike Cope

**Council Members**  
Dana Peacock  
Kirk Herath  
Susan Bogan  
Tim Roberts  
Scott Brown

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## Hilliard City Staff

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**Law and Safety Director**  
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**Economic Development Director**  
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**Public Lands and Buildings Director**  
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**Human Resources Director**  
Gerry Edwards



# *City Of Hilliard's Smoke-free Ordinance*

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## *A Guide for Businesses, Restaurants and Bars*

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# A Business Guide to a Smoke-Free Hilliard



*Enforcement of Hilliard's Smoke-Free Indoor Air Ordinance No. 04-86 begins May 1, 2005, prohibiting smoking in most public places and places of employment. The Ordinance was adopted to ensure that Hilliard workers and residents, as well as visitors to our community, are protected from the dangers of secondhand smoke.*

*This business guide has been created to help you understand this new law and what you must do to ensure your business is in compliance.*

## Secondhand Smoke Defined

Secondhand smoke, also referred to as environmental tobacco smoke (ETS), is a mixture of the smoke given off by the burning end of a cigarette, pipe or cigar, and the smoke exhaled from the lungs of smokers.

The U.S. Environmental Protection Agency (EPA) reports that secondhand smoke contains more than 4,000 substances, over 50 of which are known to cause cancer in humans or animals, and many of which are strong irritants. The EPA estimates that secondhand smoke causes up to 62,000 deaths each year among non-smokers in the United States.

## Where Smoking is Prohibited

Smoking is not permitted and no person can smoke in the following indoor areas:

- Places of employment
- Restaurants
- All public buildings and places, including schools
- Private residences if used as a childcare, adult daycare or health care facility
- All areas immediately adjacent to an entrance or exit of any enclosed area where smoke can enter the enclosed area

## Business Exceptions

Smoking is permitted in the following areas or businesses:

- Bars that have received a certificate of exemption from the City of Hilliard because the revenue produced by the sale of alcohol exceeds 65 percent of annual gross sales of the entire business, and where the serving of food is incidental to the operation of the business
- Private residences, except as noted previously
- Hotel and motel rooms designated as "smoking" rooms, except that not more than 20 percent of all rooms can be designated as smoking rooms
- Family-owned and operated businesses where all employees are related to the owner and where smoking occurs in enclosed areas that are not open to the public and where smoking does not affect other businesses or places of employment
- Retail tobacco stores in operation prior to Chapter 522 being passed and where the sale of other items is incidental to the sale of tobacco products
- Establishments operated solely by membership associations

## Penalty and Procedures

Upon the City's receipt of a first report that a violation has occurred at an establishment, the business will receive a warning letter. If noncompliance occurs and/or a second complaint is received, the establishment and/or the person smoking in a prohibited place can be charged with a minor misdemeanor, punishable by a fine up to \$150.00. Penalties increase for subsequent violations.

## Business Requirements

Unless your establishment has received a certificate of exemption from the City, beginning May 1, 2005, you are required to prohibit smoking and meet the following requirements:

- "No Smoking" signs must be posted at every entrance
- All ashtrays and smoking receptacles used for disposal purposes must be removed
- A written smoking policy for each business' employees must be adopted, implemented, disseminated and posted
- The Franklin County Board of Health must be provided with a copy of your written smoking policy

For those establishments that have received an exemption certificate, you must do the following:

- Post signs at every entrance stating that smoking is permitted in the establishment
- Have educational materials on hand which warn patrons of the dangers of smoking

## Enforcement and Complaints

As part of its contract with the City of Hilliard, the Franklin County Board of Health is the primary enforcement agency. Enforcement will be undertaken on a complaint basis. To report a violation, call 462-4AIR. The Hilliard Division of Police will provide assistance to businesses with customer compliance when necessary, and can be reached at 876-7361.