

Commonly asked questions about the Regulation to Prohibit Smoking in Enclosed Places

Are smoking rooms and lounges with ventilation system allowed under the Clean Indoor Air Regulation?

No. Smoking is prohibited near entrances, windows, and ventilation systems of all worksites and public places.

How far away from the building must I be in order to smoke?

You must be a “reasonable distance” from the entrances and windows of the workplace. The employer must define “reasonable”. In essence, the location has to be an area where smoke will not affect individuals entering the building or other employees at the worksite. In stead of a designated “foot rule” (i.e. 25 feet or 50 feet experts recommended designating outdoor smoking areas, if necessary.

Are business vehicles covered under the regulation?

Yes. According to section 1005.1 of the regulation, smoking is prohibited in business vehicles.

What about restaurants and bars?

Unfortunately, State law in Michigan prohibits restaurants and bars from being further regulated by local laws.

Will bingo halls and bowling alleys be affected by the regulation?

Yes

What happened if someone does not comply with the regulation?

Generally, the county health department will enforce the Smoke-Free Worksite Regulation. Any individuals violating the regulation will first receive an oral warning. If non-compliance continues, the individual will be required to leave the premises. A business in violation shall receive the following: (1) a *warning citation for the first violation*, (2) *\$100.00 fine for a second violation within one year from the first violation*, (3) *a fine not exceeding \$500.00 for a third violation within one year from the first violation*, (4) *a fine not exceeding one thousand dollars (\$1000.00) for each additional violation within one year from a finding of the first violation*.

For additional information please review the regulation posted on our website. To file a formal complaint please contact LMAS District Health Department at the following number:

Mackinac County 1-906-643-1100 ext 112

Alger County 1-906-387-2297 ext 101

Schoolcraft County 1-906-341-6951 ext 120