

## How Does Clean Indoor Air Work?

How Does Clean Indoor Air Work? Clean Indoor Air Laws are mostly self-enforcing. Because most people are law abiding, they'll follow the Clean Indoor Air Law as long as it's fair, and as long as it makes sense. As a result, cities with successful Clean Indoor Air Laws traditionally follow two principles when it comes time for implementation: 1. Make sure everyone has to follow the same rules, and 2. Make sure everyone understands the law.

1 The Same Rule Applies to Everyone 2 No one likes to feel like the underdog, especially businesses where profits are concerned. Successful Clean Indoor Air Laws cover workplaces and public indoor areas with very few or no exemptions. No one business should have an advantage over another to cater to smokers &ndash; or nonsmokers, for that matter.

3 Cleveland's Advisory Committee on Clean Indoor Air understood this concept. In May 2004, they recommended a Clean Indoor Air Law that made all workplaces and public indoor areas smoke-free, with only three exceptions: 1. 10% hotel/motel rooms, 2. Tobacco shops, and, 3. Private clubs. Should Cleveland City Council pass a law that follows this recommendation, all businesses in the City would operate on a "level playing field." It's fair, because it applies to everyone. And because it's such a simple, straightforward policy, it's easy for customers and employees to understand.

Understanding the Law Like most other cities, when City Council votes to make Cleveland 100% smoke-free, the Campaign will immediately begin a broad based media awareness effort that will last until the date of implementation. Efforts in other cities have included: Bar & Restaurant Kits: Free to businesses, these kits will include complimentary coasters, table tents, napkins, and other media. After seeing these materials for months, patrons will learn more about the law, and they'll know to expect the day the law goes into effect.

Toll-free Smoke-free Hotline for individuals and businesses to give feedback to the city, ask questions about the law, and (eventually) report violations. Every workplace will receive a Hotline Sign, which they may post prominently in their establishment. A Bartender in Boston says he loves their city's hotline. When a patron complains, "I point to the poster and say, 'Don't blame me. Tell it to the City.' Takes the heat off, and everyone's happy." Mass Media: Radio, television and print ads will share information about the health of smoke-free environments, the new law, and what to expect. Enforcement Notifications: The local Department of Public Health will work with all establishments, providing detailed information on the policy, enforcement, and relevant dates. Every business owner should understand the law before it goes into effect. The Campaign has already solicited a promise of support from the American Cancer Society, American Heart Association and American Lung Association to ensure a quality and comprehensive awareness effort.

What Happens When People Break the Law? Clean Indoor Air Laws should always have a means of enforcement, should someone choose not to follow it. Most cities give enforcement responsibility to their Department of Public Health. (Cleveland's Department of Public Health already enforces the 1987 Clean Indoor Air Act in a similar fashion.) Should Cleveland pass a 100% Law, enforcement could work like this: Health inspectors issue warning letters or citations to individuals or businesses who violate the ordinance. The Inspectors may make random visits to workplaces, but in most, they simply respond to complaints made to the Toll-free Smoke-free Hotline. Just as is the case with other health violations, establishments that repeatedly violate the Clean Indoor Air Law may be subject to further legal action by the City. The Advisory Committee on Clean Indoor Air recommended tying Clean Indoor Air compliance to food and liquor service permits, but only as a final resort for enforcement. Contrary to many peoples' expectations, Clean Indoor Air Laws are easily enforced, and citations are rarely issued. Check out the citywide statistics from these prominent, smoke-free cities: Boston (updated 5-13-04) · Population: 586,000 · Workplaces Covered: 30,000 (approx. 3,000 are bars, restaurants & clubs) · Warnings: 548 · Total Fines Issued: 47 · Total Fine Amount: \$8,200 · Fine Range: \$100-\$1000 Source: Boston Public Health Commission, JoAnne Landers (617) 534-4718 Dallas · Population: 1,211,467 · Warning Letters: 51 (over 8 months) Source: City of Dallas Public Information New York City (updated 5-11-04) · Population: 8, 084,316 · Establishments Inspected: 22,003 (over 1 year) · Violations: 670 Establishments Cited for 15L\*: 2,219 Source: The State Of Smoke-Free New York City: A One-Year Review (PDF) (\*15L: Failure to adequately post a smoke-free workplace policy notification, a minor violation)