

SMOKE FREE SEDALIA

APRIL 29, 2013 - FIRST DRAFT OF PROPOSED SMOKE FREE
ORDINANCE

SMOKE FREE SEDALIA

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 - American Cancer Society April 1, 2013 council committee presentation

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 - American Cancer Society April 1, 2013 council committee presentation
- Council directed Staff to draft an ordinance for their consideration
- The purpose of this open work session is to review the draft with the Mayor and Council and to answer any of their questions

SMOKE FREE SEDALIA

- Materials Reviewed:
 - Missouri State Statutes: Sec. 191.765, et seq.
 - Missouri Legislature passed the Missouri Indoor Clean Air Act in 1992
 - It contains the groundwork used by other cities in formulating their own municipal indoor clean air act

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 - Missouri Legislature passed the Missouri Indoor Clean Air Act in 1992
 - It contains the groundwork used by other cities in formulating their own municipal indoor clean air act
 - As a statutory third class city, these statutes would also serve as the requisite statutory authority for Sedalia to pass a smoke free ordinance
 - Unusual as these statutes specifically allow cities to be MORE strict than the state statutes

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 - Missouri State Statutes: Sec. 191.765, et seq.
 - Sedalia's smoke-free policy found in Section 7.14 of the City's Personnel Regulations
 - Other Missouri and Model Ordinances:
 - Lee's Summit
 - Warrensburg
 - Columbia
 - Washington
 - Americans for Nonsmokers' Rights (ANR)

SMOKE FREE SEDALIA

- Draft is based on Lee's Summit's ordinance

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- BUT it is not verbatim and does contain different provisions pulled from the other ordinances and laws reviewed

SMOKE FREE SEDALIA

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SMOKE FREE SEDALIA

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 - Signs
 - Fines
 - Enforcement

SMOKE FREE SEDALIA

- Definitions -
 - ABC order
 - Bar
 - Business
 - Employee
 - Employer
 - Enclosed Area
 - Private Club
 - Public Place
 - Restaurant
 - Smoking

SMOKE FREE SEDALIA

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SMOKE FREE SEDALIA

- Where is smoking prohibited?
 - City buildings, parks and vehicles
 - All enclosed public places
 - Professional offices
 - Banks
 - Bars
 - Bingo facilities
 - Licensed child, adult and health care facilities, including in a home
 - Restaurants
 - Retail stores
 - Theaters
 - Common areas in multi-residential buildings

SMOKE FREE SEDALIA

- Where is smoking prohibited?
 - City buildings, parks and vehicles
 - Enclosed public places
 - Enclosed facilities within places of employment
 - Common work areas
 - Private offices
 - Hallways
 - Stairs
 - Restrooms
 - Vehicles

SMOKE FREE SEDALIA

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 - City buildings, parks and vehicles
 - Enclosed public places
 - Enclosed facilities within places of employment
 - Private clubs
 - Certain outdoor public places
 - Any entrance to an enclosed public place
 - In and within 20 feet of spectator seating for sporting or other events
 - In and within 20 feet of all playgrounds

SMOKE FREE SEDALIA

- Where is smoking allowed?
 - Private residence except if licensed child, adult or health care facility
 - Private vehicles
 - 20% of hotel/motel rooms
 - Nursing home - room exception
 - Outdoor areas of places of employment
 - Retail tobacco stores
 - 50% of outdoor patio area of bar, restaurant or other commercial establishment

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- Option for any business to declare their property as 100% smoke-free

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- Signs

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- Option for any business to declare their property as smoke-free
- Signs
- Fines
 - Smoker - \$50.00 fine (infraction)
 - Manager/Owner - \$100.00 fine for first
 - \$200.00 for second in a year
 - \$500 for each additional in a year
 - City may seek suspension/revocation of business license

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- Option for any business to declare their property as smoke-free
- Signs
- Fines
- Enforcement

SMOKE FREE SEDALIA

- What's Next
 - Questions/Comments from Mayor and Council
 - Comments from Audience directed to Mayor
 - No Vote Tonight
 - Staff needs direction for May 6th Meeting
 - Provide additional information to Mayor and Council
 - Fine tune current draft
 - Schedule future work sessions