

ATTENTION: All Establishment Owners, Operators and Managers
RE: St. Charles County Smoke-Free Air Act of 2018
DATE: Nov. 20, 2018

On Nov. 6, 2018, St. Charles County voters passed an amendment to the County Charter that places a countywide smoking ban, with exemptions, on all enclosed areas in incorporated and unincorporated St. Charles County. **The vote has been certified by the Election Authority and the regulation is now in effect.**

The ban includes:

- Enclosed places, including patios, food trucks, etc.
- Places of employment.
- Outdoor spaces within 15 feet from entrances, operable windows and ventilation systems.

Exemptions:

A complete list of exemptions is outlined in County Ordinance #18-070 and can be found on the St. Charles County website at sccmo.org/SmokeFree.

Please note: Local municipal ordinances may be stricter. Establishments in O'Fallon and Lake Saint Louis should review their city's ordinances regarding smoking prohibitions.

Responsibilities of owners/operators/managers include:

- Clearly and visibly post "No Smoking" signs or the international "No Smoking" symbol inside every enclosed place or place of employment.
- Clearly and visibly post "No Smoking" signs or the international "No Smoking" symbol at every entrance to the enclosed place or place of employment.
- Clearly and visibly post "No Smoking" signs or the international "No Smoking" symbol on the exterior of every vehicle owned, operated or leased by an employer.
- Remove all ashtrays from any area where smoking now is prohibited.

Enforcement:

Owners, operators, managers or employees should first direct someone not compliant with this ordinance to extinguish the product being smoked. If the person still fails to comply, the next step is to refuse service and ask the person to leave the premises. If the person refuses to leave contact a law enforcement agency. Complaints or questions should be directed to the St. Charles County Department of Public Health.

The Department of Public Health, local fire department or their designees will inspect for compliance of this ordinance when the establishment is undergoing otherwise mandated inspections.

Penalties for infraction:

- A person found guilty of smoking in an area where smoking is prohibited by this ordinance will receive a fine of \$50.
- Owners/operators/managers who fail to comply with this ordinance are subject to fines of \$100 for the first offense, \$200 for the second offense and \$500 for each additional offense within a one-year time period.

Please note: No person or employer can discharge, refuse to hire or in any way retaliate against an employee, applicant for employment, customer or resident of a multi-unit residential facility for reporting or attempting to prosecute an individual or place of business that does not comply with this ordinance. Retaliation is a misdemeanor and punishable by up to \$1,000 for each violation.

If you have questions concerning this new ordinance, please contact Hope Woodson, Director of the St. Charles County Department of Public Health at 636-949-7407 or hwoodson@sccmo.org.