

## How do I deal with customers who want to smoke?

You and your staff must remind your customers of the law and should politely explain that they must step outside to smoke. Train your staff about what to say to customers, for example: "This is now a smoke-free establishment, you'll have to put out your cigarette," or "The new smoke-free law prohibits smoking indoors. Thank you for your cooperation."

## What do I do about a customer who refuses to comply?

Use common sense. If necessary, use your normal protocol for removing a disruptive customer from your premises.

## What happens if I don't ask customers to stop smoking?

If you fail to comply with the new law, an employee or member of the public may file a complaint with the local health department. Ultimately, you may be issued warnings, fines or violations.

## Am I required to provide a smoking break room for my employees?

No. In fact, the smoke-free law prohibits employers from providing a smoking room. Businesses that currently have a separate room for smoking can no longer allow smoking in these rooms or anywhere else inside. You must simply inform your smoking employees that they must go outside to smoke and that they must do so 15 feet away from any entrance, exit or ventilation intake. Be sure to communicate

early and clearly with your employees to ensure they understand how the new smoke-free workplace law applies to both them and your customers.

## Will there be a phone number to call and register a complaint?

The Illinois Department of Public Health has established a state wide toll-free complaint line number, which is (866) 973-4646. It will go live on January 1, 2008. Complaints will be received on this line and filtered to the appropriate county.

## Where can I get more information?

Illinois Department of Public Health  
535 W. Jefferson Street  
Springfield, IL 62761  
Phone (217) 782-4977  
Fax (217) 782-3987  
TTY (800) 547-0466  
[www.idph.state.il.us](http://www.idph.state.il.us)



**City of Naperville**  
400 S. Eagle Street  
Naperville, IL 60450

# FAQs about the Smoke Free Illinois Act



**Smoke Free**  
**Naperville**

## **The Illinois Clean Indoor Air Act will be repealed when the Smoke Free Illinois Act takes effect on January 1, 2008. The updated law, which requires all public places to be smoke free, ensures that workers in the hospitality industry will have a safe workplace and that all of us can breathe clean air when we eat out or spend a night on the town.**

### **Where will smoking be prohibited?**

Smoking will be prohibited in a public place or place of employment or within 15 feet of an entrance to a public place or place of employment, unless exempted by the act. No person may smoke in any vehicle owned, leased or operated by the state or a political subdivision of the state.

### **Where will smoking be allowed?**

Smoking will be allowed in the following areas:

- Private residences or dwelling places, except when used as a child care, adult day care or health care facility or any other home-based business open to the public.
- Retail tobacco stores\* in operation prior to January 1, 2008.

\* *Defined in the act as an establishment that derives more than 80 percent of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes and in other smoking devices for burning tobacco and related smoking accessories*

*and in which the sale of other products in merely incidental. "Retail tobacco store" does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food or restaurant license.*

- Private and semi-private rooms in nursing homes and long-term care facilities occupied by one or more persons, all of whom are smokers and have requested in writing to be placed in or to remain in a room where smoking is permitted. The smoke shall not infiltrate other areas of the nursing home.
- Hotel and motel sleeping rooms rented to guests and designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25 percent of the rooms in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking and nonsmoking may not be changed, except to permanently add additional non-smoking rooms.

### **Will business owners need to post "No Smoking" signs and remove ashtrays?**

Yes, the signage and ashtray requirements are:

- "No Smoking" signs or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red line across it,

must be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited.

- Each public place and place of employment where smoking is prohibited must have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
- All ashtrays must be removed from areas where smoking is prohibited.

### **How will the new law be enforced?**

Compliance with the law is the responsibility of the owner, manager or other person in charge of a restaurant or bar. The Illinois Department of Public Health, local public health departments and local law enforcement agencies are required to enforce the act. These agencies may assess fines for violation of the act.

### **Who can be fined and what are the fines for violating the act?**

Any person, corporation, partnership, association or other entity violating the nonsmoking provisions of the act may be fined by one of the enforcement agencies. Each day that a violation occurs is a separate violation. A person who smokes in a prohibited area shall be fined from \$100 to \$250. A person who owns, operates or otherwise controls a public place or place of employment that violates the act shall be fined not less than \$250 for the first violation, not less than \$500 for the second violation within one year after the first violation and not less than \$2,500 for each additional violation within one year after the first violation.