

Ordinance Summary

Town of Avon Ordinance 2006-16, establishing Smoke-Free Workplaces Effective September 1, 2006

Smoke-Free work places include.....

- All enclosed areas within places of employment.
- No smoking within fifty feet (50ft.) of smoke-free workplaces.
- Aquariums, galleries, libraries, museums, areas used by the general public in businesses and nonprofit entities patronized by the public, including professional offices, banks, laundromats, hotels, and motels.
- Bingo halls, convention facilities, elevators, motion pictures facilities, stages, drama, lecture, musical recital or other similar performance.
- Health care facilities, license childcare and adult day care facilities, lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multi-unit residential facilities.
- Polling places, public transportation facilities, ticket, boarding, and waiting areas of public transit depots.
- Restaurants, restrooms, lobbies, reception areas, hallways, and other common use areas, retail stores.
- Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee, or council of the town, or political subdivision of the State when a public meeting is in progress, to the extent the place is subject to the jurisdiction of the Town of Avon.
- Schools, service lines, shopping malls, sports arenas, including enclosed places in outdoor arenas, bowling alleys and centers, roller skating facilities.

Workplaces excluded.....

- Private residences, except when used as a licensed childcare, adult day care, or health care facility, up to 25% of hotel/motel rooms, retail tobacco stores, provided that smoke from these stores does not infiltrate into areas where smoking is prohibited.
- Outdoor areas of places of employment, bars, provided that smoke from these places does not infiltrate into areas where smoking is prohibited.
- Businesses that are exempt from federal income taxation under 26 U.S.C. Section 501, is a club as that term is defined by Ind. Code Section 7.1-3-20-1, or a "fraternal club" as that term is defined by Ind. Code 7.1-3-20-7 holds a beer, liquor, or wine retailer's permit under the laws of this state; and provides food or alcoholic beverages only to its bona fide members and their guest, none of these areas shall be exempt if the smoke enters any area where smoking is prohibited.

All businesses must post signs indicating non-smoking or smoking facility.
Fines for violation: 1st offense-\$100.00, 2nd-\$200.00, 3rd- \$500.00 in same year.