
Guide to Smoking in Public Places



Understanding Longmont's Smoking Ordinance

Longmont Expands Smoking Ban

Smoking in public places will no longer be allowed in Longmont beginning January 13, 2004.

On November 10, 2003, the Longmont City Council amended the 1985 ordinance against smoking in public places to include restaurants, bowling alleys and bingo halls. Beginning January 13, 2004, the

amendment expands the 1985 no-smoking rule to cover taverns and to eliminate designated smoking areas.

The amended ordinance prohibits smoking in public places, including restaurants, bowling alleys and bingo halls.

To ease the transition to smoke-free public places, this brochure was designed to answer questions about the amended ordinance. On pages 2-3 you will find a list of Frequently Asked Questions to help owners, managers, employees and customers understand the implications of this amended law.

All affected businesses were mailed an information packet in late December 2003 explaining the amended ordinance.

Included in the packet was a letter of explanation from the City Manager, a copy of this guide and several no smoking signs.

If you would like to receive this information or have further

questions, please contact the City Manager's Office at 303-651-8601.

To read the entire ordinance, go to the City's Web site at www.ci.longmont.co.us/city_clerk/smoking.htm.

Businesses are required to post and maintain a "No Smoking" sign on all public entrances or in a position clearly visible on entry to the public place or common area.

Inside:

- FAQs
- How to report violations
- Where is smoking allowed?
- What are the penalties?
- Smoking at work
- Enforcement
- Who do you call?

Frequently Asked Questions

How to comply with the smoking ordinance

Are all restaurants and bars smoke-free in this ordinance?

If a facility or an area is open to the public, smoking is not allowed.

Can you smoke on patios outside of a restaurant or bar?

The ordinance prohibits smoking only in enclosed indoor areas. If the patio is outdoors, and not enclosed to substantially restrict the free flow of air, smoking is allowed. If the patio is indoors or is so enclosed as to substantially restrict the free flow of air, smoking is not allowed.

Is there a provision for designated public smoking areas?

No, this ordinance is designed to designate all public areas as smoke-free.

Can employees smoke in a breakroom?

A portion of a work area is exempt if it is physically separated, designated and properly posted as a smoking portion, and sufficiently isolated by physical barriers or ventilation to maintain a reasonably smoke-

free environment in nearby non-smoking portions.

Can there be smoking in a private club or in my own home?

Yes, this ordinance pertains only to “public places,” “common areas” and “work areas.” A private club is considered a public place during functions at the club, open to the general public and not restricted to club members. A private residence is not a public place.



Is a smoking-designated office allowed under this ordinance?

Yes, if it is not a public place or common area, is fully enclosed and is occupied exclusively by smokers or all consenting non-smokers.

Who must provide the “No Smoking” signage?

The owner, manager and employer are all required to insure posting of the required signs. In order to proactively assist business owners, the City is providing free signs to businesses while supplies last. After that, businesses will be responsible

for obtaining their own signage. Generally, even though no one is exempt from laws due to lack of knowledge, signage will help with compliance.

Where should signs be posted?

“No Smoking” signs should be posted and maintained in a position clearly visible on entry to the public place or common area.

What are the penalties for non-compliance?

A fine of \$35 - \$500 may be imposed depending on the situation and history. Like all ordinances the municipal court judge would have final discretion. Those who could be held responsible would include the individual or customer, legal entities, owners and employers. Upon a second or subsequent conviction within twelve months, the minimum fine is fifty dollars.

Who will enforce this law?

As with all City ordinances, it can be enforced by designated code enforcement employees and sworn police officers.

What if a customer refuses to stop smoking?

Owners and employees are

encouraged to use common sense. First, ask the person to stop smoking. If the customer does not cooperate, the person should be asked to leave. Only call the police if the customer refuses or is belligerent.

What if I choose not to ask customers to stop smoking?

As an owner or employee, you will be held responsible for people complying with the ordinance in your establishment.

Anyone can report a violation or complaint.

How can I report a violation?

Employees or a member of the public may contact the City through the City’s Web site (www.ci.longmont.co.us) or by calling 303-774-4370, then dialing the four digit code 1205 and leaving a message. If the situation requires a more immediate response, call the police non-emergency line at 303-651-8501.

Where can I get information if I want to quit smoking?

Call the Colorado Quitline at 1-800-639-QUIT (7848).

A fine of \$35 - \$500 may be imposed depending on the situation and history. Like all ordinances the municipal court judge would have final discretion.

To report a violation: 303-774-4370, use code 1205

Smoking allowed in the following areas:

- Private Clubs or Halls utilized by members and their guests only.
- A portion of a non-public work area if physically separated, designated and properly posted as a smoking portion, and sufficiently isolated by physical barriers or ventilation to maintain a reasonably smoke-free environment in nearby non-smoking portions.
- Private residences

Smoking prohibited in the following areas:

- All Longmont restaurants and bars.
- All bingo parlors and bowling alleys.
- All places of employment except in locations exempted in the ordinance.
- Any place open to the public.



Where can I find more information?

- City's Web site at: www.ci.longmont.co.us/city_clerk/smoking.htm
- Call Valeria Skitt, City Clerk/Director of Administration at 303-651-8601
- To request a Fax, dial 303-774-4370, listen to the instructions and then dial the four digit code 1205 when prompted and you will be able to request a fax at the end of the recording.
- Copies of all of the City's Ordinances are available in the Longmont Public Library

Who do I contact about non-compliance or other complaints I may have?

- Call 303-774-4370, listen to the instructions and then dial the four digit code 1205 when prompted and you will be able to leave a message
- Call the non-emergency Police number 303-651-8501 or 303-651-8695 for Code Enforcement