



Enforcement of the Smoke-free Ordinance

The Health Department developed and held a public hearing on regulations to establish enforcement procedures. The regulations were approved by the City Council on Thursday, July 23 and go into effect at 12:01 a.m. on Friday, August 14, 2015.

Enforcement Process

- First complaint
 - The first time the Health Department receives a complaint about a business a certified letter will be sent to the owner and manager informing them of the violation.
- Second complaint
 - A second complaint received seven or more calendar days after the first will trigger an investigative site visit by the Health Department. The seven day grace period allows business owners time to receive the warning letter and make adjustments to comply with the ordinance. Following the site visit, the Health Director may, based on the evidence, refer the violations for administrative adjudication under the Department of Safety and Permits.
- Additional Complaints
 - The Health Department will review all additional complaints and the Health Director may, based on the evidence, refer the violations for administrative adjudication at any time.
 - At this point, the Health Director may also refer violations to the Alcoholic Beverage Control Board for possible suspension or revocation of the business's alcoholic beverage permit or remedial sanctions.
 - In addition, the Health Department is authorized to conduct further site visits at any time to monitor compliance and may, following a site visit, refer violations for administrative adjudication or to the Alcoholic Beverage Control Board.
 - Continued noncompliance may also result in fines, suspension or revocation of other licenses/permits issued for the premises where the violations occurred, or abatement as a public nuisance.

What if my business received a complaint before the enforcement took effect?

- Complaints received before the enforcement regulations took effect were tracked and will be used to monitor compliance, but will not count toward enforcement.