



BALTIMORE CITY HEALTH DEPARTMENT
BUREAU OF FOOD CONTROL
210 Guilford Avenue, 2nd Floor
Baltimore, Maryland 21202
410-396-4428



CLEAN INDOOR AIR ACT FACTSHEET

www.mdcleanair.org

- **Enforcement date:** February 1, 2008

- **Where is smoking prohibited?**

Any enclosed area to or in which the public is invited or permitted. This includes private offices and break rooms. Customers and employees must smoke outside.

- **Who will enforce?**

Baltimore City Health Department Environmental Sanitarians will enforce as they are conducting routine inspections and upon receipt of complaints.

- **What to do if a customer wants to smoke indoors?**

The owner and his/her staff are responsible for reminding customers of the law. Staff should be trained on what to say to customers.

Examples: “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.”

Use your best judgment and common sense. If all else fails and a customer refuses to comply, use your normal protocol for removing a disruptive customer from your premises.

- **Is smoking outside prohibited?**

Smoking outside is not prohibited under the Clean Indoor Air Act.

We are aware that as owners you take priority in caring for your customers. Some of you have thought of erecting tents outdoors for your smoking clients. However, please be aware that structures with a ceiling that are enclosed by any combination of permanent or temporary walls, windows or doorway, whether open or closed, or other physical barriers that go from the floor to ceiling, are considered as indoor areas and subject to the Clean Indoor Air Act.

- **What will the Sanitarians look for?**

- Evidence of smoking – this includes remnants of smoking products, ashtrays with ashes and lingering tobacco smoke
- Actual smoking during the inspection

- **What are the penalties for violating the law?**

An employer or person in charge who violates or who knowingly allows a violation is subject to a civil fine of not more than \$500 for each offense. Each day that a violation continues is a separate offense.