

## CHAPTER 124: ENVIRONMENTAL TOBACCO SMOKE IN PUBLIC ACCOMMODATIONS

### SECTION

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#### 124.01 DEFINITIONS

- (a) "PERSON" means any individual, firm, partnership, association, corporation, company or organization of any kind.
- (b) "PUBLIC MEETING" means any meeting or assembly open to the public which is held in an enclosed building for the conduct of affairs of, and the transaction of business by, any legislative or administrative body or agency of the city, including boards, commissions, authorities, councils, committees, subcommittees, and other subordinate groups.
- (c) "THEATER" means any enclosed facility, open to the public, which is primarily used for or designed for the purpose of exhibiting any motion picture, stage drama, concert, musical recital, dance, lecture or other similar performance.
- (d) "SMOKING" means the act of lighting, carrying, inhaling from, or leaving a lighted or smoldering cigar, cigarette, or pipe of any kind.
- (e) "PLACE OF PUBLIC ACCOMMODATION" means any enclosed indoor area used by the general public, including, but not limited to, retail stores, financial institutions, department stores, banks, laundromats, restaurants, beauty and barber shops, retail food production and marketing establishments, retail service establishments, and other commercial establishments, regardless of whether a fee is charged for admission.
- (f) "ENCLOSED" means closed in by a roof and four walls with appropriate openings for ingress and egress. (Ord. 10-1993)

#### 124.02 POSTING OF SIGNS REQUIRED

Any person who owns, manages, operates or otherwise controls a place of public accommodation, except those accommodations listed in Section 124.03,

shall display or cause to be displayed at the entrance of said facility a sign that conveys the following message, to wit:

- (a) This facility allows smoking; or
- (b) This facility does not allow smoking; or
- (c) This facility provides smoking areas and non-smoking areas. (Ord. 10-1993)

#### 124.03 REQUIRED "NO SMOKING IS ALLOWED" SIGNS

Any person who owns, manages, operates, or otherwise controls the following places of public accommodation shall display signs within said facility that convey the message that no smoking is allowed, to wit:

- (a) Elevators
- (b) Theaters, except smoking by performers as part of a production or rehearsal
- (c) Public meeting rooms
- (d) Buses
- (e) Libraries
- (f) Museums
- (g) All enclosed areas owned, leased or operated by any department or entity of the City of Richmond, Indiana, except such areas that are being used for residential purposes

#### 124.04 PENALTY

Any person who violates Sections 124.02 or 124.03, or any person who removes or defaces any sign posted as required herein, shall be fined not less than ten dollars nor more than one hundred dollars. Each day a violation of this chapter shall continue constitutes a separate violation.

#### 124.05 EFFECTIVE DATE

This ordinance shall take effect July 1, 1993. (Ord. 10-1993)