



Smoke-Free ATL

19-0-1205



City of Atlanta



it is good public policy
to allow everyone
the right to breathe
smoke-free air
in the City of Atlanta

Secondhand Smoke

- Contains 7,000 chemicals. Hundreds are toxic and 70 can cause cancer
 - Can cause cardiovascular disease, coronary heart disease, stroke, and lung cancer
 - Can have immediate adverse effects on your blood and blood vessels, increasing the risk of heart attack
 - Children and pregnant women especially vulnerable:
 - Can cause numerous health problems in infants and children, including more frequent and severe asthma attacks, respiratory infections, and sudden infant death syndrome
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Major Cities with Comprehensive Smoking Ordinance

New York City

Austin

Phoenix

Washington, D.C.

Dallas

Minneapolis

New Orleans

Houston

Milwaukee

Georgia

Boston

San Antonio

Cleveland

Savannah

Seattle

Portland

St. Louis

Augusta

Chicago

San Francisco

Indianapolis

Los Angeles

San Jose

Detroit

San Diego

Fort Worth

Birmingham

Previous City of Atlanta Action

- ATL Indoor Air Ordinance (1977): Regulated smoking in public places, places of employment
- 85-O-0698: Prohibit smoking by drivers of vehicles for hire
- 86-O-2072: Prohibit free tobacco product distribution on streets, sidewalks, parks, public bldgs
- 87-O-1086: Prohibit smoking in certain areas within City Hall
- 93-O-0340: Provide for a smoking policy at Hartsfield International Airport
 - 93-R-1245: Accept funding from Philip Morris to construct enclosed smoking areas
- 03-R-0050: Create Task Force to examine ban on smoking in all public places
- 04-O-0435: Provide for a prohibition on smoking in public places
- 05-R-0249: Urge support for SB90, which banned smoking in certain public spaces and places of employment throughout Georgia
- 12-O-0966: Prohibit smoking in City of Atlanta parks

Georgia Smokefree Air Act of 2005 (SB90)

- Prohibits smoking inside most public areas
 - All enclosed facilities owned, leased, operated by state or local governing authorities
 - Smoking is prohibited in all enclosed public places
 - Smoking is prohibited in all enclosed areas within places of employment, including:
 - Restaurants and bars (except w/ exemptions), common work areas, medical facilities, auditoriums, cafeterias, classrooms, stairs, private offices, restrooms, elevators, hallways, employee lounges, conference rooms, meeting rooms, other enclosed facilities
 - Exemptions: Bars and restaurants that up 18+, designated hotel rooms, long-term care facilities, designated areas in international airports, tobacco businesses, retail tobacco stores, employer-designated areas for employees, private clubs, private residences.
- Allows for more restrictive local law, rules, and regulations that were currently in place or might be passed in the future

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Introduced April 15, 2019

*Co-Sponsors: Matt Westmoreland, Andre Dickens, Carla Smith,
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Adds prohibition of vaping

- April 2019: U.S. Surgeon General declares vaping an epidemic among American teenagers
- *Vapor product* means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. The term 'vapor product' shall include any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. (OCGA § 16-12-170)

Prohibits smoking and vaping indoors

- Hartsfield-Jackson International Airport
 - 30 of the 35 busiest airports in the United States are smoke-free
 - Internationally: Beijing Capital, London Heathrow, Shanghai Pudong International, Madrid-Barajas, Toronto Pearson International, Barcelona-El Prat, London Gatwick, Sydney International, Shenzhen Bao'an International
- Bars and Restaurants
 - Exempt: Establishments that generate 20% or \$250,000 or more of their annual gross sales from the sale of tobacco products

Exemptions

- Private homes, residences and vehicles
 - Unless used as childcare/healthcare facility
- Cigar lounges
- Hookah lounges
- Retail tobacco stores
- Retail vaping stores
- Private clubs, military officer clubs, noncommissioned officer clubs

Effective Date, Permitting, and Penalties

- **Effective Date:** January 2, 2020
- **Permitting Process**
 - Cigar bars and hookah lounges would secure “Indoor Air Certificate of Exemption” from the City at the same time of the issuance of the alcohol license upon renewal.
 - Defined as establishments that generate 20 percent or \$250,000 or more of their annual gross sales from the sale of tobacco products
- **Penalty for violations**
 - A fine not exceeding one hundred dollars (\$100) for a first violation.
 - A fine not exceeding two hundred dollars (\$200) for each additional violation within one (1) year.