## Outdoor Areas

Proprietors of public places and places of employment may implement in-house smoking policies regarding their outdoor areas.

### Smoke-Free Campuses

Many proprietors of public places and places of employment in Arizona are choosing to provide smoke-free campuses for their visitors, employees, and other patrons. The Act allows proprietors to declare an entire outdoor area as non-smoking.

### Smoke-Free Areas

Proprietors may choose to designate certain areas as smoke-free areas by clearly identifying these areas.

### Outdoor Designated Smoking Areas

The Act does **not** require proprietors to provide designated smoking areas; however, they may choose to do so. Designated smoking areas must be located at least 20 feet away from entrances, open windows, or ventilation systems. Encouraging residents, visitors, employees, or other patrons to smoke in these designated areas is recommended.

Smoke-Free Arizona Program officials **cannot** enforce in-house smoking policies established by the management. Those who choose not to use designated smoking areas may be in violation of the in-house smoking policy; however, they are not in violation of the Act **if** they are at least 20 feet away from entrances, open windows, or ventilation systems.

## Tips for Designating Outdoor Smoking Areas and Smoke-Free Areas

As a proprietor, if you choose to designate your campus as smoke-free, please consider:

- Clearly identifying the campus as smoke-free; and
- Educating residents, visitors, employees, or other patrons about your smoke-free campus policy.

As a proprietor, if you choose to designate smoke-free areas, please consider:

- Clearly identifying the areas as non-smoking; and
- Educating residents, visitors, employees, or other patrons about where smoking is prohibited.

As a proprietor, if you choose to designate smoking areas, please consider:

- Providing directional signs for individuals looking for the designated smoking area; and
- Educating residents, visitors, employees, or other patrons about where smoking is allowed.

### For More Information

Visit: **smokefreearizona.org**
Call: 1-877-AZSTOPS (1-877-297-8677)
Email: smokefreearizona@azdhs.gov

### To Report a Violation

The public may report a violation of the Smoke-Free Arizona Act to the Arizona Department of Health Services by one of the following options:

Fill out an online form at smokefreearizona.org
Call: 1-877-4-AZNOSMOKE (1-877-429-6676)
Email: nosmokingarizona@azdhs.gov

Arizona Department of Health Services
Arizona Department of Health Services
Office of Environmental Health
Smoke-Free Arizona Program
150 North 18th Avenue, Suite 430
Phoenix, AZ 85007-3247

6-DEH-043 (5/09)

# The Smoke-Free Arizona Act

## Clearing the Air About Outdoor Areas

Arizona Department of Health Services

## OUTDOOR AREAS

Smoking is allowed outdoors as long as smoking occurs at least 20 feet away from entrances, open windows, or ventilation systems of enclosed public places and places of employment where smoking is prohibited unless defined differently by a local ordinance. This applies to all outdoor areas mentioned in the section below.

### Sidewalks, Walkways, Breezeways, and Bus Stops

Smoking is allowed on sidewalks, walkways, in breezeways, and at bus stops.

### Parks

Smoking is allowed in parks; however, if you are not sure whether your local park or outdoor recreational area follows a more strict smoking ordinance, contact your city for more information.

### Outdoor Venues

Outdoor venues may include **outdoor** sports stadiums, concert arenas, horse tracks, racetracks, or fairgrounds. Outdoor venues may have their own smoking policy in addition to the Act.

**Tip:** Before attending an outdoor event, call the venue or check with event organizers if you need more information about their smoking policy.

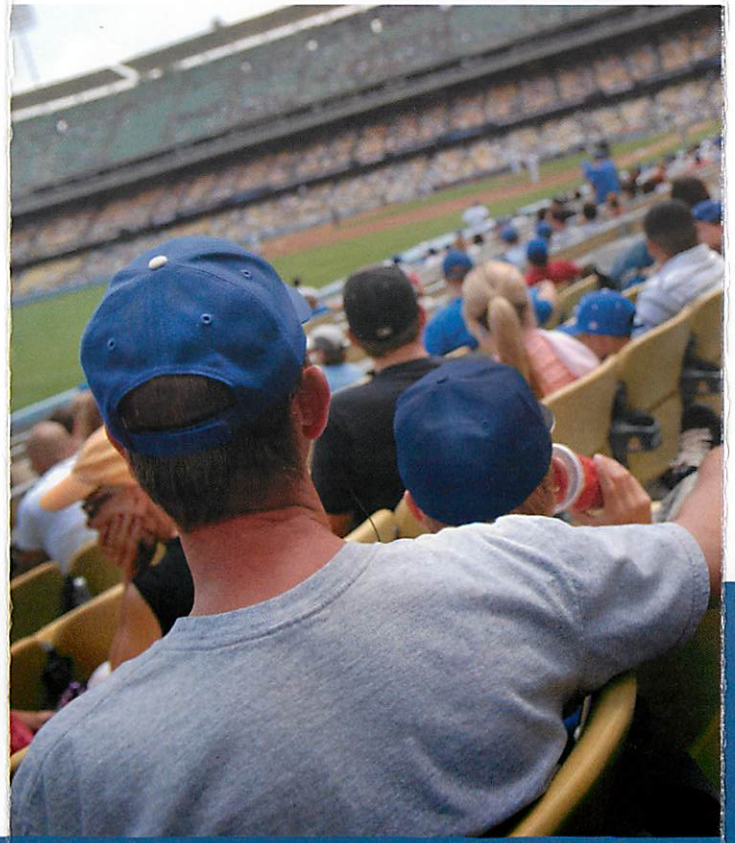
### Compliance

County health departments will investigate complaints about violations of the Smoke-Free Arizona Act. **Please keep in mind that Smoke-Free Arizona Program officials can only enforce the provisions defined in the Act.** Smoke-Free Arizona Program officials do not enforce local ordinances or in-house smoking policies.

### Swimming Pools

Smoking around **outdoor** swimming pools is allowed as long as smoke is not infiltrating enclosed areas where smoking is prohibited. Enclosed areas near pools may include offices, snack bars, activity centers, clubhouses, bathrooms, or changing rooms.

Swimming pools may have their own smoking policy set by the proprietor. Multi-family housing residents should follow the smoking policy set by the proprietor of their residential complex. Individuals visiting their public pool should abide by any smoking policy even if the policy is more strict than the Act.



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### Outdoor Patios and the 20 Foot Rule

Outdoor patios are one of the seven exemptions of the Act and therefore smoking is allowed on outdoor patios. If an outdoor patio is less than 20 feet from any entrance, open window, or ventilation system of an establishment, smoking is still allowed, but only if the proprietor uses a method that:

- Provides a smoke-free entrance into the establishment
- Does not permit tobacco smoke to drift into the establishment through entrances, open windows, ventilation systems, or other means

If an outdoor patio of a public place or place of employment is located within 20 feet of any entrance, open window, or ventilation system, smoking is allowed anywhere on this outdoor patio as long as tobacco smoke does not enter into the enclosed area.

In order to prevent smoke from drifting into the establishment, some proprietors have chosen to use methods or a combination of methods such as, but not limited to, air curtains, physical barriers, fans, or blowers. Please keep in mind that these methods are only examples and not a requirement of the Act.

This brochure was created to clarify the requirements of the Smoke-Free Arizona Act, A.R.S. § 36-601.01 ("the Act"), with regards to outdoor areas including outdoor patios.