

Smokefree Brandon Phase 2010 Smokefree Ordinance

A Guide for Businesses & Citizens

Why did Brandon enact a smokefree ordinance?

Because smokefree air laws are good for your health:

- Secondhand smoke exposure is the third leading cause of preventable death in the U.S., killing 53,000 non-smokers each year.
- Exposure to secondhand smoke increases the risk of fatal and non-fatal coronary heart disease in non-smokers by about 30%.
- Exposure to secondhand smoke is associated with increased asthma severity and worsened lung function in children with asthma.

Because smokefree air laws benefit business:

- Restaurants in smokefree cities have a higher market value at resale (an average of 16% higher) than comparable restaurants located in smoke-filled cities.
- The U.S. Environmental Protection Agency estimates that smokefree restaurants can expect to save about \$190 per 1,000 square feet each year in lower cleaning and maintenance costs.
- The American Cancer Society reports that employees who smoke have an average insured payment for health care of \$1,145 whereas non-smoking employees average \$762.



Smoke free ordinance
materials can be obtained
from the City of Brandon
Office of Community
Development or at
www.cityofbrandon.net

ph 601.825.5021
fx 601.824.4584
commdev@ci.brandon.ms.us
www.cityofbrandon.net

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Smokefree Brandon

Phase 2010

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Smokefree Air Laws in the City of Brandon

AND

Frequently Asked Questions

Smokefree Air Laws in Brandon

The City of Brandon has enacted an ordinance to regulate smoking in certain public places in the City of Brandon. **This includes all restaurants and bars, hotels and motels and all retail businesses.** In addition to eliminating secondhand smoke inside, Brandon's ordinance prohibits smoking outdoors within a distance of **15 feet** outside any establishment where smoking is prohibited.

These smokefree air laws are designed to protect the public health and welfare of the community from health hazards induced by breathing secondhand smoke. The health hazards include lung cancer, heart disease and respiratory infections.

Definitions to assist you with understanding the smokefree air laws in Brandon

Attached Bar: The bar area of a restaurant where beer, light wine and/or alcohol is sold or consumed.

Hotel or Motel: A building or buildings where lodging is provided for more than 12 persons, who are usually but not always transient, for compensation.

Restaurant: Any eating establishment (including but not limited to coffee shops, cafeterias, sandwich stands, private and public school cafeterias), which gives or offers for sale to the public prepared food, beverages or both. The term restaurant includes attached bars.

Public Place: Any enclosed area which is open to the public or where the public is invited or permitted to enter.

Retail Store: Any establishment where business is conducted, goods are made or stored or processed or where services are rendered to the public.

Frequently Asked Questions

When did the City of Brandon go smokefree?

The phase 2010 smokefree ordinance became effective on May 4, 2010.

Where is smoking prohibited?

Smoking is prohibited in the following enclosed public places:

- Restaurants and bars
- Hotels and motels
- Retail stores

What does the ordinance require me to do?

You must inform your employees and customers that "smoking is no longer permitted indoors or within a distance of 15 feet outside any entrance or exit". This is to ensure that tobacco smoke does not enter the inside area through any door, window or ventilation system.

You must declare the establishment as non-smoking. This includes posting of a "no smoking" sign (or the international "no smoking" symbol) in a clear and conspicuous location and you must post at every entrance a sign stating "smoking is prohibited". You must also remove all ashtrays and other smoking paraphernalia from the area where smoking is prohibited. Additionally, all outdoor ashtrays must be moved a minimum distance of 15 feet from any opening into the building.

What should I do if customers insist on smoking?

You and your staff must advise them of the new ordinance. Politely explain that they must step outside 15 feet from the door to smoke. If the customer refuses to comply, refer to your company's policy on dealing with difficult customers.

Where is smoking not prohibited?

Any private or public place not expressly prohibited.

Frequently Asked Questions

How will the ordinance be enforced?

This ordinance will be enforced by the Office of Community Development, through private affidavits, and the Brandon Fire Department. A designee from Community Development and/or the Fire Department will inspect for compliance. All complaints must be filed in person at the Brandon Police Department.

What are the penalties?

Individuals as well as the business or establishments can be fined under this ordinance.

Individual Fine: \$50

Business Owner Fines:

1st Violation: \$100

2nd Violation: \$200

3rd or More: \$500

In addition to the fines, two or more violations in one calendar year by a business may result in suspension or revocation of any city issued license or permit.

How can I file a complaint?

Citizens who desire to file a complaint must first initiate enforcement with the municipal court services office located at the Brandon Police Department at 1455 West Government Street. It requires at least two persons filing separate individual affidavits for the observed violation to become a formalized complaint.

Where can I get more information about the new ordinance?

You can learn more about the Phase 2010 Smokefree Ordinance by contacting the Office of Community Development at (601) 824-4580 or by visiting www.cityofbrandon.net. More information is also available from the Mississippi Tobacco-Free Coalition of Rankin, Scott and Simpson Counties at (601) 933-9174 or tmlovorn@dreaminc.org.