



# Township of West Milford

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**Department of Health**  
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**Immediate Release: April 10, 2006**

**Contact: Kenneth Hawkswell, Health Officer**

## **NEW JERSEY SMOKE-FREE ON APRIL 15 – IT'S THE LAW!**

**The law requires SMOKE-FREE environments in essentially all indoor workplaces and places open to the public, including places of business and service-related activities.**

**It includes:**

- ❑ **Offices, factories, commercial buildings and facilities, and government facilities;**
- ❑ **Restaurants, bars, clubs (including social and fraternal organizations), theatres;**
- ❑ **Bowling alleys, sports facilities, race tracks, bingo sites;**
- ❑ **Shopping malls and retail stores;**
- ❑ **All elementary and secondary schools, child care facilities, museums, places of worship**
- ❑ **Health care facilities and offices, nursing homes;**
- ❑ **Hotel lobbies, public transportation vehicles and stations and platforms, parking garages, apartment building lobbies and public areas in other private buildings.**

**The law also prohibits smoking on the grounds of any public or non-public elementary or secondary school.**

### **ENFORCEMENT**

**Enforcement is by the New Jersey Department of Health and Senior Services or the local board of health.**

- ❑ **A person having control of an indoor workplace or public place shall order any person smoking in violation of the act to comply.**
- ❑ **A person who smokes in violation is subject to a minimum fine of \$250 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense.**
- ❑ **An indoor public place or workplace in violation of the act, that fails to comply with the act following written notice, is subject to a minimum fine of \$250 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense. In addition, the court may order immediate compliance with the provisions of the act.**

**To help you implement the NJSFAA, New Jersey GASP has created a special new section on their website: [www.njgasp.org](http://www.njgasp.org)**

**The New Jersey QuitLine (1-866-NJ-STOPS) or 1-866-657-8677 and the New Jersey QuitNet ([www.nj.quitnet.com](http://www.nj.quitnet.com)) offer free consultation, evaluation and follow-up on your quit attempts.**

**(end)**



## Frequently Asked Questions Smoke-Free Air Act

The Smoke-Free Air Act will go into effect April 15, 2006. This Act protects New Jersey residents at work and in public from deadly secondhand smoke. The Act states that *tobacco smoke constitutes a substantial health hazard*, and therefore, *it is clearly in the public interest to prohibit smoking in enclosed indoor places*.

**Q: What is secondhand smoke?**

**A:** Secondhand smoke is a combination of a smoker's exhaled smoke and the smoke from a burning cigarette. It contains more than 4,000 chemicals, including 200 poisons and 69 known and probable cancer-causing substances. The U.S. Environmental Protection Agency estimates that secondhand smoke kills an estimated 62,000 nonsmokers each year in the United States. This includes between 1,000 and 1,800 New Jerseyans.

**Q: How can I file a complaint?**

**A:** You can file a complaint against a business that violates the law by contacting your local health department. You can find the telephone number in the government section of your local telephone book.

**Q: What are the penalties?**

**A:** A person who smokes in violation of the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

A person in charge of an indoor public place or workplace who refuses or fails to comply with the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

**Q: Do I need to provide a smoking break room for my employees?**

**A:** No. In fact, the Act generally applies to all indoor public places and workplaces, and break rooms are not allowed. Businesses with separately ventilated rooms for their smoking employees or smoking customers cannot allow smoking in these rooms or anywhere else in the building.

**Q: What organizations/businesses does this act not apply to?**

**A:** There are very few organizations/businesses that this act does not apply to. Smoking is allowed in private homes, private residences and private automobiles; hotels, motels or other lodging establishments may permit smoking in up to 20% of guest rooms; areas within the perimeter of casino gaming areas and casino simulcasting facilities; cigar bars or lounges that in calendar year ending December 31, 2004, generated 15% or more of total annual gross income from the sale of tobacco products; and tobacco retail establishments whose primary activity (51%) is the retail sale of tobacco products and accessories and the sale of other products is incidental.

To learn more about the Smoke-Free Air Act visit [www.smokefree.nj.gov](http://www.smokefree.nj.gov).

If you smoke and want to quit, or know someone who wants to quit, call NJ Quitline at 1-866-NJ-STOPS (1-866-657-8677) or visit NJ QuitNet® at [www.nj.quitnet.com](http://www.nj.quitnet.com). Both services provide free and personal professional counseling and support. Or visit [www.njquit2win.com](http://www.njquit2win.com) for free materials that you can use to create a "quit smoking program" in work or meeting places.



Jon S. Corzine  
Governor



Fred M. Jacobs, M.D., J.D.  
Commissioner



## Frequently Asked Questions Smoke-Free Air Act Restaurants and Bars

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**Q: Can I smoke in my private office in a commercial work establishment?**

**A:** No.

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**Q: Can I smoke in my private office in a commercial work establishment?**

**A:** No.

**Q: How are tobacco retail establishments and cigar bars defined by the law?**

**A:** A tobacco retail establishment will conduct at least 51% of its retail business in the sale of tobacco products and accessories in which the sale of other products is merely incidental. A cigar bar or lounge must have generated 15% or more of total annual gross income from the sale of tobacco products in the calendar year ending December 31, 2004.

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# No Smoking



**Violator subject to fines of \$250 to \$1,000.**

New Jersey Smoke-Free Air Act, Public Law 2005, Chapter 383, N.J.S. 26:3D-55 through 64

Enforced by local Department of Health. Contact: