

Act 27 of 2008, the Clean Indoor Air Act

Guidance for Public Places and Workplaces

Pennsylvania Clean Indoor Air Legislation

Act 27 of 2008, The Clean Indoor Air Act (CIAA) regulates smoking in public places and workplaces across the Commonwealth of Pennsylvania with the exception of the City of Philadelphia.

Beginning on September 11, 2008, smoking is not allowed in public places or workplaces.

The CIAA defines a “**public place**” as an enclosed area which serves as a workplace, commercial establishment, or an area where the public is invited or permitted.

The CIAA defines a “**workplace**” as an indoor area serving as a place of employment, occupation, business, trade, craft, professional or volunteer activity. Place of employment means the area that an employee uses for work or any other purpose.

Owner/Employer responsibilities:

If you operate a place of employment, smoking is not allowed at your establishment effective September 11, 2008. If you see customers, staff, or visitors smoking, you or your staff must tell them not to smoke indoors.

The Department of Health recommends that you remove ashtrays and other receptacles used to extinguish cigarettes or other smoking items.

Signage requirements:

The CIAA requires that no smoking signs or the international no smoking symbol which consists of a pictorial representation of a burning cigarette in a circle with a bar across it must be prominently posted and properly maintained where smoking is not permitted.

No smoking signs have been designed uniquely for Pennsylvania.

Outdoor smoking

With the exception of sports or recreational facilities, theater or performance establishments, the outdoor property of a business building is not covered by the Pennsylvania Clean Indoor Air Act.

Permitted distance from doorways to smoke

The CIAA does not provide a required minimum distance. If possible, a distance of 20 feet is recommended.

Penalties of the Clean Indoor Air Act

The CIAA provides for the following penalties

- The owner, operator or manager of the premises may be penalized for failing to post proper signage in amounts ranging from \$250 to \$1,000.
- The owner, operator or manager of the premises may be penalized for allowing smoking where it is prohibited in amounts ranging from \$250 to \$1,000
- A person (patron or employ of the premises) may be penalized for smoking where it is prohibited in amounts ranging from \$250 to \$1,000

The owner, operator, or manager of the premises, or a lessee if in actual control of the premises, is responsible for ensuring compliance and may be penalized.