

# Comparing Kenton County's Smoke-Free Law to Ohio's

Standard	Kenton County	Ohio
Date enforcement began	Passed December 21, 2010; goes into effect April 15, 2011	Passed November 2006; went into effect May 3, 2007
File a complaint	Visit <a href="http://www.nkyhealth.org">www.nkyhealth.org</a> or call 859.392.0101	Call 1.866.559.OHIO (6446) or e-mail <a href="mailto:NoSmoke@odh.ohio.gov">NoSmoke@odh.ohio.gov</a>
What's covered by law	Most businesses in the Kenton County—approximately 5,000. Includes businesses in the cities of: Bromley, Covington, Crescent Springs, Crestview Hills, Edgewood, Elsmere, Erlanger, Fairview, Fort Mitchell, Fort Wright, Independence, Kenton Vale, Lakeside Park, Latonia Lakes, Ludlow, Park Hills, Ryland Heights, Taylor Mill, Villa Hills, and parts of Walton	All public places and most places of employment in the state of Ohio—approximately 280,000; plus work-related vehicles. Smoking is also restricted near entrances and smoke cannot enter building through windows, etc.
Exemptions	Houses (unless used as licensed childcare, adult day care, or health care facility) Private clubs Hotel <i>rooms</i> (common areas are smoke-free) Drinking establishments that have been approved for an exemption by the Health Department Outdoor patios	Private residences Private clubs Family-owned businesses with employees related to the owner and not open to the public Separately enclosed and ventilated rooms within nursing homes Outdoor patios Some retail tobacco stores 20% of hotel rooms (but 80% must be smoke-free)



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Fines	<p>Businesses:            First offense within a year: Warning            Second offense within a year: \$100            Third and subsequent offenses within a year: \$250</p> <p>Individuals:            \$100 each offense, and those who refuse to stop smoking can be asked by management to leave the premises and, if they refuse, be charged with criminal trespass.</p>	<p>Businesses:            First violation: Warning letter            Second violation \$100            Third violation; \$500            Fourth violation \$1,000            Fifth, subsequent violations: \$2,500,.</p> <p>Individuals:            First violation: Warning letter            Second, subsequent violations \$100</p> <p>Retaliation against complainant:            First violation: Warning letter            Second violation: \$1,000            Third, subsequent violations: \$2,500</p>
Business responsibilities	<p>Prohibit smoking</p> <p>Remove ashtrays</p> <p>Post no smoking signs at each entrance per conditions of ordinance (or if smoking is permitted by an exemption, post smoking permitted signs at each entrance)</p>	<p>Prohibit smoking</p> <p>Remove ashtrays</p> <p>Post no-smoking signs with the toll-free enforcement number – 1.866.559.OHIO (6446).</p>
Enforcement	Northern Kentucky Health Department	Ohio Department of Health, in cooperation with local health departments

Source: Kenton County Fiscal Court Ordinance 451.15; <http://www.odh.ohio.gov/alerts/ohiosmokingban.aspx>