

## Exemptions

The following areas are not subject to the smoking restrictions in this chapter:

- (1) Bars
- (2) Eating establishments while in use in their entirety for private functions.
- (3) Any patio or other area of an eating establishment which is entirely open to the sky.

### For more information

Please note that this summary is not intended to be comprehensive or to provide an authoritative legal interpretation. For more detailed information about the Ordinance, please refer to the actual text of the law. To obtain a copy, call your city clerk's office or visit their web site.

Any person who desires to register a compliant may contact the City Manager at (907) 283-7535

#### KENAI CITY HALL

210 Fidalgo Ave., Suite 200

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## It's all about the air you breathe

Everyone has the right to  
breathe clean Indoor Air

Being able to breathe clean air, free from harmful chemicals is a serious issue.

Tobacco smoke is poisonous and classified as a "Group A carcinogen" a substance proven to cause cancer in humans. A lit cigarette contains 43 known carcinogens and more than 400 other toxins, including the addictive drug nicotine.

1200 Americans die every day from tobacco smoke and/or exposure to secondhand smoke. That's one person every 72 seconds!

Thank you for eliminating the health risks associated with exposure to secondhand smoke and protecting your patrons.



## The City of Kenai's

### Chapter 12.40 Regulation of Eating Establishments (Ord. 1998-2003):

### How It Affects You



A Guide for  
Restaurant Owners and Employers

Provided by

**Peninsula Smokefree Partnership  
and  
Alaska Dept. of Health and Social Services.**

# Attention Restaurant Owners and Employers

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## The City of Kenai's Chapter **12.40 Regulation of Eating Establishments (Ordinance #1998-2003)**

regulates smoking in Eating Establishments within the city limits of Kenai.

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This summary was developed by:

*Peninsula Smokefree Partnership* to help businesses comply with the Ordinance. When in compliance we provide free advertising to area businesses. One way is through **The Smokefree Dining Guide**. This guide is circulated in the State of Alaska, at local venues, our Chambers and Airports for tourists and locals.

## Your Obligations

### 12.40.020 Eating Establishments

Smoking is prohibited and is unlawful within all indoor eating establishments.

“Eating establishment” means any restaurant, coffee shop, cafeteria, sandwich stand, fast food service, including any bar area of any such establishment which is not an enclosed area, which offers the sale of food to the public and where food is sold to the public for consumption on the premises, as well as kitchens in which food is prepared.

### 12.40.010 “Enclosed Area”

(a) means a ventilated area so that air from a smoking area is not drawn into or across the nonsmoking area. The doors of an enclosed area should remain closed.

### 12.40.040 Sign Posting

(a) The operator of a bar of eating establishment controlled by this chapter shall post signs stating “No Smoking”, at the entrance.



## Enforcement

Enforcement of the ordinance is the responsibility of the City of Kenai's City Manager or his or her designee's). Violations and penalties are as follows:

- (a) It is unlawful for any person who operates any premises subject to regulation under this chapter to fail to comply.
- (b) It is unlawful for any person to smoke in any area where smoking is prohibited by this chapter.
- (c) Any person who violates any provision of this chapter shall be guilty of an infraction, punishable by:

(1) A fine of \$100, for the first offence within a twenty-four (24) month period.

(2) A fine of \$200, for a second violation within a twenty-four (24) month period.

(3) A fine of \$500, for a third or additional violation within a twenty-four (24) month period.

Each an every day that such violation continues shall be deemed a separate and distinct violation.