



City of Easley Smoke Free Ordinance

Frequently Asked Questions

1. When does the ordinance go into effect?

The City will begin enforcement of its “no smoking” ordinance for public events and festivals immediately. For public places and the greater business community the ordinance will not take effect until January 1, 2009.

2. What types of businesses are impacted by this ordinance?

Most businesses within the City of Easley will be impacted by the ordinance. The smoke-free ordinance applies to all enclosed public places within the City. The ordinance does not apply to designated hotel/motel rooms, private residences, personal vehicles, retail tobacco stores, and private clubs.

3. What should I do if a patron smokes in my establishment?

The proprietor or other person in charge has primary responsibility for ensuring customers in the establishment comply with the ordinance. Appropriate action to remove a person who refuses to stop smoking will be based on the circumstances, but may include:

- Request the violator to stop smoking immediately;
- Stop serving the violator or asking the violator to leave the premises;
- Call the police if the violator becomes violent, disorderly or refuses to leave;
- Document the incident;

4. What constitutes a violation?

The following constitutes an establishment's violation under the ordinance:

- Tolerance of smoking inside the premises;
- Failure to post the required "No Smoking" signs (signs posted at entrances are adequate);
- Retaliation against employees, applicants or customers who complain;

5. How will the ordinance be enforced?

Enforcement will be predominantly complaint based, unless enforcement officials at an establishment for other reasons witness violations. When the City receives a complaint, an unannounced inspection will occur. If a violation is found during this inspection, an administrative citation may be issued. Checking for signs of smoking also will be part of routine annual fire code inspections.

6. What is the penalty for a violation?

A person who smokes in an area where smoking is prohibited shall be guilty of an infraction, punishable by a fine of not less than \$10.00 nor more than \$25.00.

A person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this ordinance shall be guilty of an infraction, punishable by a fine of not less than \$10.00 nor more than \$25.00.

7. How are complaints filed?

You can file a complaint by calling 855-7900. The City of Easley will refer the complaint to the appropriate officer who will contact you as soon as possible

8. Can patrons smoke outside establishments (outdoors)?

Smokers must be ten (10) feet from entry into an enclosed area to insure that tobacco smoke does not enter the establishment.

However, smoking shall also be prohibited in certain outdoor areas when the use involves a gathering of public, regardless of the number actually assembled for the event, performance, or competition. This prohibition shall apply to:

- (a) Amphitheaters.

- (b) Ball parks and stadiums when in use for athletic competitions or public performances.
- (c) Parades and special events on public streets and city property, although the city administrator has the discretion, but not the obligation, to establish designated smoking areas in or in proximity to the parade or event area or any other city property.
- (d) Dining areas on sidewalks, plazas, and parks and dining areas on sidewalks, plazas, decks, balconies, and patios of restaurants and bars.
- (e) Zoos

9. Do I need to post “No Smoking” signs?

Yes, "No Smoking" signs or the international "No Smoking" symbol shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited at every entrance.

10. Where can I get a copy of the Ordinance?

A copy of the Ordinance can be found on the City’s website www.cityofeasley.net or you can have a copy mailed to you by calling Easley City Hall at 855-7900.