

NEVADA CLEAN INDOOR AIR ACT

A Guide for Child Care Facilities

Effective Dec. 8, 2006, the Nevada Clean Indoor Air Act prohibits the smoking of tobacco products in most public places and indoor places of employment.

Where is smoking prohibited?

The Act states that smoking tobacco in any form is prohibited within indoor places of employment including:

- Public and private school buildings and on public and private school grounds
- Child care facilities with five or more children
- All areas of grocery stores, convenience stores and drug stores
- All indoor areas within restaurants, including those in casinos or gaming establishments
- Bars, taverns and saloons that serve food
- Shopping malls and retail establishments
- Video arcades
- Government buildings and public places
- Movie theaters

Where is smoking permitted?

The Act states that smoking is permitted in:

- Areas within casinos where loitering by minors is already prohibited by state law per NRS 463.350
- Stand-alone bars, taverns and saloons that do not serve food
- Strip clubs and brothels
- Retail tobacco stores
- Private residences, including private residences that may serve as an office workplace, except if used as a child care, adult day care or health care facility

Why was the Nevada Clean Indoor Air Act passed?

The Act was passed in order to protect the public from secondhand smoke. Secondhand smoke, also called environmental tobacco smoke, is a combination of smoke from the burning end of a cigarette, cigar or pipe and the smoke exhaled by smokers. The U.S. Environmental Protection Agency reports that secondhand smoke contains more than 4,000 substances, many of which are known to cause cancer in humans. In 2006, the U.S. Surgeon General released a comprehensive report stating that there is no risk-free level of secondhand smoke exposure.

What child care facilities are included in the Act?

The Act prohibits smoking in child care facilities with five or more children under the age of 18 years, if compensation is received for any one of the five children. This includes on-site child care at businesses for employees, outdoor youth programs and private homes where licensed child care is provided. Since cities and counties may have more stringent licensing requirements than outlined in this Act, it is advised that you contact the licensing department in your jurisdiction for more information.

Are private residences included in the smoking ban?

Only private residences that also serve as licensed child care facilities are included in the smoking ban. Private residences where a natural parent or guardian is providing child care are not included in this Act.

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As the operator of a child care facility, what does the Act require me to do?

Employers must post conspicuous “No Smoking” signs at every entrance. Employers are also required to remove all ashtrays and other smoking paraphernalia from their smoke-free facilities.

Free, downloadable “No Smoking” signs are available on the health district website and can be accessed at www.SouthernNevadaHealthDistrict.org or www.gethealthyclarkcounty.org.

How will the Act be enforced?

Compliance with the Act, including the posting of conspicuous signs at every entrance and the removal of ashtrays and other smoking paraphernalia, is the responsibility of the employer. The health district has the duty to enforce the provisions of the Act and to issue citations for violations. Individuals may be cited for smoking in areas where it is prohibited, and employers may be cited for failure to post signs and/or failure to remove ashtrays and other smoking paraphernalia.

What are the penalties?

Currently, violators of the Act are liable for a civil penalty of \$100 for each violation.

How can I report violations of the Nevada Clean Indoor Air Act?

Violations can be reported by accessing a complaint form on the Southern Nevada Health District’s website at www.SouthernNevadaHealthDistrict.org or by calling (702) 759-1990.

Where can I find more information?

For more information on the dangers of secondhand smoke, call the Southern Nevada Health District’s Tobacco Control Program at (702) 759-1270.

For more information regarding compliance with the Act, call the Southern Nevada Health District’s Environmental Health Division at (702) 759-0588.

If I smoke and want to quit, where can I get more information?

Call the Nevada Tobacco User’s Helpline at 1-800-QUIT NOW (1-800-784-8669) or visit www.livingtobaccofree.com.