



FOR IMMEDIATE RELEASE
April 30, 2007

Health District files first smoking complaint against local tavern

LAS VEGAS – The Southern Nevada Health District today filed its first enforcement action in District Court against a local tavern for continued non-compliance with the voter-passed Nevada Clean Indoor Air Act (Nevada Revised Statutes 202.2483). The health district filed a complaint for declaratory relief and a motion for a preliminary injunction against Three Bs, Inc., which is the owner of Bilbo’s Bar & Grill at 8699 W. Charleston Blvd. A hearing has been set for Wednesday, June 6.

The action follows attempts by the health district to bring the tavern into compliance. In mid-April, the health district notified Three B’s, Inc./Bilbo’s Bar & Grill of its violations and requested that the company meet with district officials about compliance; the tavern rejected the health district’s request and noted that it will not comply with the Act. Three B’s, Inc./Bilbo’s Bar & Grill was among the establishments that had received numerous complaints related to the Nevada Clean Indoor Air Act from the general public. Health district officials visited the location and documented violations consisting of staff members providing ashtrays to customers. The declaratory relief seeks an affirmation from the District Court that the activity is in violation of the Nevada Clean Indoor Air Act

Today’s action also asks the court to compel Three B’s, Inc./Bilbo’s Bar & Grill to comply with the Nevada Clean Indoor Air Act. The motion for preliminary injunction requests that the court order the tavern to remove all ashtrays and other smoking paraphernalia from the premises.

“The Southern Nevada Health District is taking action today against an establishment that has said it will not come into compliance with the state law,” said Stephen Minagil, Esq., the health district’s attorney. “We have attempted to work with this establishment, we have provided opportunities for the business to come into compliance with the Act and there has been no resolution.” Minagil noted that other businesses that have removed traditional ashtrays and provide smokers with shot glasses, paper cups or condiment plates to be used as ashtrays are still in violation of the Act.

-more-

CONTACTS

Jennifer Sizemore: Sizemore@snhdmail.org | 702.759.1225

Stephanie Bethel: Bethel@snhdmail.org | 702.759.1393

Health district files first NCIAA complaint – add one

The Nevada Clean Indoor Air Act was passed by a majority of voters in November. Initially, the Act included criminal as well as civil penalties. In December, a judge removed the criminal penalties from the Act leaving enforcement with the Southern Nevada Health District only. The health district began its enforcement activities with a wide-reaching educational and information campaign. The second phase of the district's enforcement policies included verification and notification of violations. Since November, the health district has received more than 2,000 complaints involving approximately 590 different establishments. Currently, the health district permits more than 16,000 food establishments in Clark County.

For more information, visit the health district website, www.SouthernNevadaHealthDistrict.org. There is a page dedicated to the Nevada Clean Indoor Air Act, including current legal action that has been taken.