

# NEVADA CLEAN INDOOR AIR ACT

## A Guide for Child Care Facilities

Effective December 8, 2006, the Nevada Clean Indoor Air Act prohibits smoking in most public places and indoor places of employment, including child care facilities. The law also allows local (county/city/town) governments to adopt and enforce local tobacco control measures more stringent than the state law.

### **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 (EPA) 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 in those private residences that also serve as licensed child care facilities is smoking prohibited. Private residences where a natural parent or guardian is providing child care are not included in this Act.

### **How will the Act be enforced?**

Compliance with the Act is the responsibility of the owner, manager or operator of a child care facility where smoking is prohibited. A reasonable effort to prevent smoking should be made by this individual or group of individuals. Health authorities, police officers of cities or towns, sheriffs and their deputies shall, within their respective jurisdictions, enforce the provisions of the Act and shall issue citations for violations of the Act.

### **What are the penalties?**

A person who is found to violate the Act is guilty of a misdemeanor, which generally carries a fine imposed by a judge. In addition, a person who violates the Act is liable for a civil penalty of \$100 for each violation.

### **Besides prohibiting smoking in my child care facility, what does the Act require me to do?**

The Nevada Clean Indoor Air Act states that employers must clearly and conspicuously post “No Smoking” signs in their facilities at every entrance. Employers are also required to remove all ashtrays and other smoking paraphernalia from any area where smoking is prohibited.

(continued)

Washoe County District Health Department

• 1001 E. Ninth St. Bldg. B • Box 11130 • Reno, NV 89520 • 775.328.2434 • [www.washoecounty.us/health](http://www.washoecounty.us/health)



Free, downloadable “No Smoking” signs are available on the Washoe County District Health Department website at [www.washoecounty.us/health](http://www.washoecounty.us/health)

**How can I find more information?**

For more information on the dangers of secondhand smoke, please call the Washoe County District Health Department Chronic Disease Prevention Program at (775) 328-2442.

For more information regarding compliance with the new law for restaurant and bar owners, please call the Washoe County District Health Department Environmental Health Division at (775) 328-2434.

**Where can I get more information on quitting?**

If you smoke and want to quit, call the Nevada Tobacco User’s Helpline at 1-800-QUIT NOW (1-800-784-8669) or visit [www.livingtobaccofree.com](http://www.livingtobaccofree.com).

