



**ORANGE COUNTY
HEALTH DEPARTMENT**

Rosemary L. Summers,
MPH, DrPH
Health Director

Richard E. Whitted Human
Services Center
300 West Tryon Street
Post Office Box 8181
Hillsborough, NC 27278
Phone: (919) 245-2411
Fax: (919) 644-3007
www.co.orange.nc.us/health

Central Administrative
Services

Dental Health Services

Environmental Health Services

Health Promotion and
Education Services

Personal Health Services

300 West Tryon Street

Hillsborough, NC 27278

PH: (919) 245-2411
FAX: (919) 644-3007

**Warning Letter
Notice of First Violation
NC Smoke-free Restaurants and Bar Law**

January 26, 2010

Adam Bliss
Hookah Bliss
419 West Franklin Street
Chapel Hill, NC 27514

Re: First notice of violation of the Act to Prohibit Smoking in Certain Public Places and Places of Employment

Dear Mr. Bliss:

On January 2, 2010, a new law went into effect prohibiting smoking in restaurants and bars in North Carolina entitled an ACT TO PROHIBIT SMOKING IN CERTAIN PUBLIC PLACES AND CERTAIN PLACES OF EMPLOYMENT (S.L 2009-27) referred to as the NC Smoke-free Restaurants and Bars Law. Orange County Health Department staff members Tom Konsler and Connie Pixley visited your establishment on January 21, 2010 as a follow-up to an educational visit that took place on January 13, 2010. While in your establishment, Hookah Bliss, they observed that patrons were smoking water pipes and that you were also smoking a water pipe. Your establishment is required to comply with the new law.

Under the new law, smoking is prohibited in enclosed areas of bars and restaurants. Smoking is also not allowed in enclosed areas of many lodging establishments that operate a permitted restaurant. A person in charge of a restaurant, bar or lodging establishment that is subject to the new law must: 1) post the required no smoking signs, 2) remove indoor ashtrays and other smoking receptacles, and 3) direct any person who is smoking to extinguish the lighted tobacco product.

The specific violations are as follows:

☒ ***Smoking in enclosed areas of the restaurant, bar or lodging facility in which smoking is prohibited***

☒ ***Failure to direct individuals to stop smoking.*** A person who manages, operates, or controls a restaurant, bar or lodging facility in which smoking is prohibited is required to inform any individual by written or oral notice that smoking in a place where smoking is prohibited is violating the NC Smoke-free Restaurants and Bars Law and direct a person who is smoking to extinguish the lighted tobacco product

☐ ***Failure to post "No smoking" signs.*** A person who manages, operates, or controls a restaurant, bar or lodging facility in which smoking is prohibited is required to post "no smoking" signs at each public entrance at a height and location easily seen; be at least 24 square inches in size (example 4x6 inches; be legible font type and display the Division's toll-free information and complaint telephone number 1-800-662-7030, G.S. 130A-497 and www.smokefree.nc.gov.

☐ *Failure to remove all indoor ashtrays. A person who manages, operates, or controls a restaurant, bar or lodging facility in which smoking is prohibited shall remove all indoor ashtrays and other smoking receptacles from the enclosed areas of the establishment.*

This letter is the first notice of violation of the Act to Prohibit Smoking in Certain Public Places and Places of Employment in accordance with G.S. 130A-22(h1). Violation(s) of the law by the business has the following penalties:

- ☐ First violation: the person in violation receives written notice of the person's first violation and notification of action to be taken in the event of subsequent violations.
- ☐ Second violation: the person in violation receives a written notice of the person's second violation and notification of administrative penalties to be imposed for third and subsequent violations.
- ☐ **Third and subsequent violations: the person in violation receives an administrative penalty of not more than two hundred dollars (\$200.00). Each day on which a violation of this law or rules occurs may be considered a separate and distinct violation.**

Enclosed is basic information about provisions of the laws and a Business Guide with a link to the website www.smokefree.nc.gov, where you can find more detailed information on the law.

We are available to assist you in bringing your establishment into compliance with the law. If you have any questions concerning the law or would like to receive additional information, please visit www.smokefree.nc.gov, or call me at 245-2411.

Sincerely,



Rosemary L. Summers, MPH, DrPH
Health Director
Orange County Health Department

Encl.: Business Guide

Cc: Tom Konsler, Environmental Health Director
Annette Moore