

To: Owner/Operator  
Re: Compliance with the Colorado Clean Indoor Air Act  
Date:

Dear XXXX:

Thank you for speaking with me today about the complaint regarding smoking in the indoor areas of your place of business located at XXXXX in Wheat Ridge. Under the direction of the Colorado State Tobacco Education and Prevention Partnership, we are working to support employers and property owners/managers in understanding and being compliant with the Colorado Clean Indoor Air Act (CCIAA). Our conversation and this follow-up letter are part of the initial process to correct practices that may constitute violations of the CCIAA at the above referenced property. .

As discussed during our call today, a complaint was received alleging that smoking is occurring on a regular basis in the indoor areas of your business. According to the definitions section of the CCIAA (25-14-203 (10)), an “Indoor Area means any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.”

According the “General smoking restrictions” section of the CCIAA (25-14-204),  
“...smoking shall not be permitted and no person shall smoke in any indoor area, including, but not limited to:  
(k) (I) any place of employment that is not exempted

Your immediate action is required to comply with the CCIAA by prohibiting smoking in all indoor areas and within the fifteen foot perimeter of the main public entrance of your workplace as stipulated by the CCIAA. These prohibitions are constant; smoking cannot legally resume during after-hours or at any other time in your business. To review the entire Act, visit [www.smokefreecolorado.com/data/pdf/CleanIndoorAirAct.pdf](http://www.smokefreecolorado.com/data/pdf/CleanIndoorAirAct.pdf). Exemptions to the Act are listed under section 25-14-205. In cases where a business owner/operator has reviewed the language of the CCIAA and remains uncertain about whether or not his/her business is in compliance, professional legal counsel should be sought. An attorney can review the language of the CCIAA and may be able to help you determine if your establishment is in compliance.

To address the complaint, you stated that you will take immediate necessary steps to fully comply with the CCIAA. Though we are not able to provide interpretation of the CCIAA, we will support you in your endeavor to comply with the law and provide you with various resources, some of which I have provided in this mailing to you. We will conduct a site visit in the future to

verify that you are in compliance with the law. Future complaints will result in our office notifying law enforcement and could result in a citation.

As a courtesy to the Wheat Ridge Police Department, we provide a copy of this letter to them for their records.

Please don't hesitate to contact us at (303) 275-7558 if you would like additional information or resources.

Donna Viverette, MPH  
Coordinator, Tobacco Prevention Initiative

cc: Wheat Ridge Police Department

enclosed: signage, brochures