



Communications Office

The City of Morgantown

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City, County Authorities Meet to Coordinate Clean Indoor Air Regulation Implementation

New Clean Indoor Air regulations enforced by the Health Department go into effect this weekend.

MORGANTOWN – City administrators met with local law enforcement and the Smoke Free Initiative of West Virginia Monday afternoon to clear the air and clarify enforcement measures for the Monongalia County Clean Indoor Air Regulation, set to take effect Friday, March 9, 2012.

The Clean Indoor Air Regulation aims to restore safer air qualities in public places and places of business within ten days. It also hopes to instill long-lasting effects, like decreasing heart attack rates, increasing the number of quitters, and effectively deterring youth to start smoking.

Christina Mickey from the Smoke Free Initiative of West Virginia started off the meeting with some facts to help put the effort in perspective.

- All but six West Virginia counties have basic restaurant and non-hospitality workplace smoke-free regulation.
- Nineteen West Virginia counties took the big leap before Monongalia County, and are completely smoke-free.
- Nationwide, 4,000 counties are completely smoke-free.

Mickey forecasted successful implementation in Monongalia County by comparing it to Kanawha County, which implemented the same Clean Indoor Air rules back in 2008. At the end of the first year of clean air, only 37 violations were found in more than 800 inspections, and State Health Inspectors reported a 95% compliance rate.

City Attorney Steve Fanok isn't worried about how effective implementation will be. "We've had a (municipal) smoking ordinance since 1994," he said. "It's not like we're just jumping into the water."

Mickey mentioned that 53% of bars and late-night venues are located outside city limits, and will probably see more inquiries and missed inspection points early on.

And that compliance, she says, is the main goal. The Monongalia County Health Department is beefing up its inspection overtime with \$8,000 in grant money that will help get inspections and compliance checks started off on the right foot.

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Morgantown Police and the Monongalia County Sheriff's Department were also in attendance to learn their role when reporting such violations. Mickey and Police Chief Ed Preston reviewed the reporting procedure.

- If a violation is spotted by a patron or later reported, and has not escalated to a “trespassing” situation, then the complaint will be sent to the MCHD Environmental Health Program, at which time a Sanitarian or Health Inspector will make a timely visit to the location for an inspection.
- When a violation is noted by a business owner and he's already tried informing the patron, cutting off the patron's service, and telling the patron to leave, the owner will treat it just like they would a “No shirt, no shoes, no service” policy and call the non-emergency MECCA line to report it. Reported like this, the issue falls under a “trespassing” or “breach of peace” category, and MECCA will direct the complaint to the proper agency, whether it be city police or county deputies. Those calls will be categorized as non-emergency, and authority is expected to respond when a unit is available. Those instances are also reported to the MCHD Environmental Health Program.

Mickey said business owners have an incentive to report these kinds of violations, because responsibility of compliance rests with the owner or operator of the building or business...not the employees or customers.

According to City Manager Terrence Moore, there has been some interest shown in permits to expand decks and other outdoor spaces to accommodate for a business's smoking demographic. He says the City and County are working together to collaborate permits for businesses in the Morgantown corporate limits to consider and honor requests for a 60-day extension in compliance. For these businesses, clean air comes May 9, 2012.

For regulations and information on compliance, please visit monchd.org and download the file on the front page.

If you have questions, please visit monchd.org or contact Holly K. Hildreth at the Monongalia County Health Department at 304-598-5100 with any questions.

