



SMOKEFREE AIR ACT

Grounds of Public Buildings

Overview

The Smokefree Air Act prohibits smoking on the grounds of state and local government buildings.

Definitions

- “Grounds of any public building” is defined as an outdoor area of a public building that is used in connection with the building, including but not limited to a sidewalk or driveway immediately adjacent to the building, but not including a sidewalk in the public right-of-way; a sitting or standing area immediately adjacent to the building; a patio; a deck; a curtilage or courtyard; a swimming or wading pool; a beach; or any other outdoor area as designated by the person having custody or control of the public building.
- “Public building” is an enclosed area owned, leased, or operated by or under the control of the state government or its political subdivisions.
- Outdoor “entrance” includes the commonly understood points of entry to an outdoor area, subject to the prohibitions of this chapter, such as a driveway, sidewalk, pathway, access road, gate, or dedicated point of entry, but not including a street, road, highway, or sidewalk in the public right-of-way.

Prohibitions & Other Provisions

- The Smokefree Air Act prohibits smoking on the grounds of public buildings.
- The person having custody or control of the grounds of the public building should define the outdoor areas used in connection with that building and properly post the outdoor entrances with “no smoking” signs as required by the Smokefree Air Act (see the fact sheet titled, “Sign Requirements”).
- A person having custody or control of a public building may exclude from the grounds of any public building a parking lot, the course of play at a golf course, a hiking trail, locations of an individual campsite or campfire, or a lake, river, or other body of water.
- Outdoor areas of a public building that are not used in connection with that building are not regulated by the Smokefree Air Act.
- A person having custody or control of the grounds of public buildings can declare areas not regulated by the Smokefree Air Act as nonsmoking places.

NOTE: The information provided in this document is not intended to be legal advice. Please consult state statutes or contact an attorney for additional information about the Smokefree Air Act (Iowa Code 142D).

Leases

- The Smokefree Air Act requires lease agreements entered into by state and local governments after July 1, 2008, to comply with the provisions of the Smokefree Air Act.

- The following is an aerial image of an actual city hall in Iowa. The “●” symbol reflects where the required outdoor “no smoking” signs need to be posted. Please note that the person having custody or control of this building could exempt from the designated grounds the parking lot. In this case, signs would not need to be posted at the parking lot entrances.

Posting of Signage Example



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