



Office of the Chicago City  
Clerk



O2011-6425

Office of the City Clerk

City Council Document Tracking Sheet

**Meeting Date:** 7/28/2011

**Sponsor(s):** Cappleman, James (46)  
And Others

**Type:** Ordinance

**Title:** Amendment of Sections 7-32-010 and 7-32-035 of Municipal Code by further regulating common smoking rooms in healthcare or long-term care facilities

**Committee(s) Assignment:** Committee on Health and Environmental Protection

**ORDINANCE AMENDING TITLE 7, CHAPTER 32 OF THE MUNICIPAL  
CODE OF CHICAGO TO ALLOW COMMON SMOKING ROOMS WITHIN  
LONG TERM CARE FACILITIES (CONSISTENT WITH LANGUAGE IN THE  
SMOKE FREE ILLINOIS ACT PA, 096-1357)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

WHEREAS, federal law protects the right of nursing home residents to smoke in their own homes and where the federal Fire Life Safety Code specifically encourages separate, supervised smoking rooms in long term care facilities rather than risk residents secretly trying to smoke in unsupervised areas, creating a greater fire hazard; and,

WHEREAS, both the Smoke Free Illinois Act law and Cook County smoking ordinance banning smoking in public places excludes nursing homes.

**SECTION 1.** Chapter 7-32 of the Municipal Code of Chicago is hereby amended by adding a new definition to section 7-32-010 and a new section 7-32-035(4)

**Section 7-32-010 Definitions**


“Healthcare facility” means...includes all waiting rooms, hallways, private rooms, semiprivate rooms, and ward within healthcare facilities. This definition does not include a room designated “common smoking rooms” in nursing facilities, psychiatric facilities, and veterans’ medical facilities, pursuant to Section 7-32-035(4).

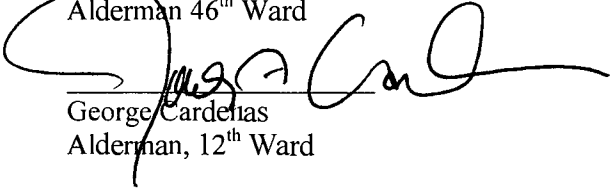
*(Omitted text is unaffected by this ordinance)*

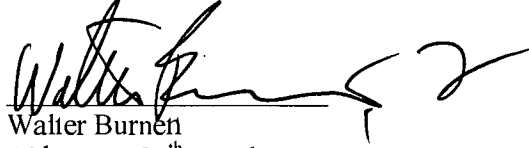
**Section 7-32-035 Exemptions**

(4) Common smoking rooms in long term care facilities operated under the authority of the Illinois Department of Veterans’ Affairs or licensed by the Illinois Department of Public Health that are accessible only to residents who are smokers and have requested in writing to have access to the common smoking room where smoking is permitted and the smoke shall not infiltrate other areas of the long term care facility.

**SECTION 2.** This ordinance shall take effect upon its passage and due publication.

  
James Capplemen  
Alderman 46<sup>th</sup> Ward

  
George Cardenas  
Alderman, 12<sup>th</sup> Ward

  
Walter Burnett  
Alderman, 27<sup>th</sup> Ward

  
Robert Marshall 26  
Alderman

  
Scott Wagunpach 32

Pat Dowell, 3rd

Alderman

William D. ... (4)

Alderman

Joe Mauro 1<sup>ST</sup>

Alderman

Amya ... 4th

Alderman

[Signature] 25

Alderman

John A. Page 10<sup>th</sup>

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