



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2011-6425

**Type:** Ordinance      **Status:** Failed to Pass

**File created:** 7/28/2011      **In control:** City Council

**Final action:** 5/20/2015

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

**Sponsors:** Cappleman, James, Burnett, Jr., Walter, Cardenas, George A., Maldonado, Roberto, Waguespack, Scott, Dowell, Pat, Burns, William D., Moreno, Proco Joe, Pawar, Ameya, Solis, Daniel, Pope, John

**Indexes:** Ch. 32 Chicago Clean Indoor Air Ordinance of 2005

**Attachments:** 1. O2011-6425.pdf

Date	Ver.	Action By	Action	Result
5/20/2015	1	City Council	Failed to Pass	Fail
9/27/2011	1	Committee on Health and Environmental Protection	Held in Committee	
7/28/2011	1	City Council	Referred	

**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 SMOiS: 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).

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.

*(Omitted text is unaffected by this ordinance)*

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