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RESTAURANT SMOKING AREA REVIEW CHECKLIST

The Virginia Indoor Clean Air Act prohibits smoking in restaurants beginning December 1, 2009. Based on an MOU between the Virginia Department of Health and the DHCD, Alexandria Code Administration staff will perform plan review and field inspections for the Alexandria Health Department at any restaurant which proposes construction of a "structurally separate" indoor smoking area, as allowed by exception to this act.

The results of the following inspection must be provided on an action line in Tidemark Advantage (Permit*Plan). Where the field inspection fails, the corrective action should be noted. Please note that these plan reviews and inspections of smoking areas are advisory to the Alexandria Health Dept. and will not prevent issuance of a building permit or Certificate of Occupancy.

Name of Restaurant: _____

Address: _____ Complaint or Permit #: _____

1. Is a public entrance provided from the exterior of the restaurant directly into the non-smoking area? ☐ YES ☐ NO

2. Are non-smoking, accessible toilets available directly from the non-smoking area of the restaurant? ☐ YES ☐ NO

If customers must travel through a smoking area to access the toilet, are the toilets physically separate and separately vented from the smoking areas? ☐ YES ☐ NO

3. Is the designated smoking area structurally separated from adjacent areas by walls extending from the floor to a rigid ceiling or to the bottom of the roof/floor deck above a lay-in ceiling? Such walls may be stud walls covered with drywall, glass or other gas-impervious building material or other like barrier. The walls do not need to be caulked or meet the fire or smoke partition requirements of the building code. ☐ YES ☐ NO

4. Are all entrances to the smoking area through self closing doors? The doors do not need to latch or be gasketed. ☐ YES ☐ NO

5. Is the HVAC system for the smoking area separately vented from the remainder of the restaurant?

The law does not require that the smoking room have a separate HVAC system, only that the room be vented in a manner that prevents recirculation or migration of smoke into the non-smoking areas of the restaurant. This requires that the ventilation system of the smoking area maintain negative air pressure relative to the adjacent areas. Where the existing ventilation system's design cannot be determined from non-destructive field inspection, the applicant will need to provide as-built mechanical drawings or an air balance report. ☐ YES ☐ NO

6. Restaurants in the City of Alexandria must also comply with the smoking prohibitions specified in Title 11, Chapter 10 of the Code of the City of Alexandria. This section of the City Code outlines requirements for the ratio of smoking to non-smoking seats in a restaurant.

Indoor Seating Capacity A minimum of 50% of the indoor seating capacity must be non-smoking. No single non-smoking area shall consist of fewer than 10 seats or 12% of the indoor seating capacity, whichever is larger. Bar stools, including lounge chairs or couches near the bar and 42" tall tables not normally used for full meals, are NOT counted as seating.

Total # Indoor Seats _____ # of Non-Smoking Seats _____ # of Smoking Seats _____

% of Non-Smoking Seats _____ Compliance? ☐ YES ☐ NO

Outdoor Seating Capacity (where applicable) A minimum of 25% of the outdoor seating capacity must be non-smoking. No single non-smoking area shall consist of fewer than 10 seats or 10% of the outdoor seating capacity, whichever is larger.

Total # Outdoor Seats _____ # of Non-Smoking Seats _____ # of Smoking Seats _____

% of Non-Smoking Seats _____ Compliance? ☐ YES ☐ NO

NOTE: Outdoor seating areas which are enclosed by screened walls, roll-up doors, windows or other seasonal or temporary enclosures must also be structurally separate from the non-smoking areas and vented so no air from this area is recirculated into the non-smoking areas.

Is the smoking area in compliance? ☐ YES ☐ NO

Inspector _____ Date _____