

Smoking Ban Waiting for Governor's Signature.

The Smoking Ban in Restaurants will go into effect December 1, 2009. The ban prohibits smoking in restaurants, however, smoking will be permitted in;

1. Places or operations where preparation or storage of food for catering services, pushcart operations, hotdog stands, and other mobile points of service;
2. Any outdoor area of a restaurant, with or without roof covering, at such times when such outdoor area is not enclosed in whole or in part by any screened walls, roll-up doors, windows or other seasonal or temporary enclosures;
3. Any restaurants located on the premises of any manufacturer of tobacco products;
4. Any portion of a restaurant that is used exclusively for private functions, provided such functions are limited to those portions of the restaurant that meet the requirements of subdivision 5;
5. Any portion of a restaurant that is constructed in such a manner that the area where smoking may be permitted is (i) structurally separated from the portion of the restaurant in which smoking is prohibited and to which ingress and egress is through a door and (ii) separately vented to prevent the recirculation of air from such area to the area of the restaurant where smoking is prohibited. At least one public entrance to the restaurant shall be into an area of the restaurant where smoking is prohibited. For the purposes of the preceding sentence, nothing shall be construed to require the creation of an additional public entrance in cases where the only public entrance to a restaurant in existence as of December 1, 2009, is through an outdoor area described in subdivision 2; and
6. Any private club.