



Australian Hotels Association  
WESTERN AUSTRALIA

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# AHA(WA) Member Bulletin

## City of Perth - Smoke Free Alfresco Dining Areas

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7 July 2009

On July 1, certain alfresco dining in the City became smoke free. Smoking is no longer permitted in alfresco dining areas licensed under the City of Perth Alfresco Dining Local Law 2009.

By renewing your City of Perth 2009/10 Alfresco Dining License you agree to adopt the no smoking provision of the City of Perth Alfresco Dining Local Law 2009. Licensees are required to establish their alfresco dining area as no smoking and manage the area to ensure patrons comply with this requirement.

To help promote this transition the City will supply no smoking signage to be placed on alfresco tables. These table signs are currently on order; however in the interim you may order resources from the Department of Health - Tobacco Control Branch by visiting [www.tobaccocontrol.health.wa.gov.au/publications/publicplaces.cfm](http://www.tobaccocontrol.health.wa.gov.au/publications/publicplaces.cfm)

### **What if a patron refuses to stop smoking?**

Enforcement will be primarily by education, persuasion and self policing with infringements only issued as a last resort. Community support will encourage the bans to be self enforced.

### **What is the penalty for smoking in alfresco areas?**

Should the need arise, the penalty for failing to establish an alfresco area as no smoking will be \$200. Persons who smoke in an alfresco area are liable for a fine of \$100.

### **How long is the no smoking ban for?**

No smoking in alfresco dining will be ongoing in the city. The Tobacco Control Amendment Bill 2008, which will apply to all of Western Australia, is presently progressing in the Legislative Council. This will not take precedence over the Local Law.

### **The law only applies to some alfresco dining areas**

The local law relating to smoke free alfresco dining only applies to alfresco dining areas located on council owned land. An example is tables set up on the pavement or footpath outside restaurants. The local law also applies only to alfresco dining as part of an Eating House license.

The City of Perth will provide with plastic table top signs tables once your licence is paid for the year.

**For more information on City of Perth smoking bans please contact AHA(WA) Membership Manager, Brian Moar on 9321 7701 or e-mail [member@ahawa.asn.au](mailto:member@ahawa.asn.au)**