



Town of Boylston Board of Health boh@boylston-ma.gov
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Special Meetings of the Boylston Board of Health
November 16, 2015 and January 11, 2016
Tobacco Regulations

Attendance: Doug Kimmens, Jack Wentzell, Dennis Costello, and Sarah Scheinfein.
Guests: Brittney Blaney, Parks and Rec; Megan DeNubia, Worcester DPH/CMRPHA
Note: Guests were present for the November meeting only.
Recorder: Sarah Scheinfein

Called to Order at 6:10 p.m. by Sarah

Report from Britney: Parks and Rec has voted to move forward to ban smoking in public parks in Boylston. She discussed concerns regarding exposure to second hand smoke. Megan discussed the regulating and enforcement issue. Britney stated "No Smoking" signs would be posted in town. A report of a violation to the DPH can be done; however, there is only 1 inspector for eighteen towns. The cost of the signage could be shared with BOH and Parks and Rec. The question came up about e-cigarettes: there was no decision made regarding this.

Dennis noted that there are currently 5 establishments in town where cigarettes are sold:

- 2 gas stations
- Liquor store
- 2 golf clubs

Megan provided the BOH with A Local ETS (environmental, tobacco, and smoke) Regulation Checklist. Discussion was held in regards to each of the following:

1. Smoking bars: ok to allow bars to sell tobacco products but no smoking in the bar.
2. Retail tobacco stores (tobacconists and smoke shops): ok to allow selling tobacco products but no smoking in the stores.
3. Buffer zones around municipal building entrances: 50 feet.
4. Municipal-owned parks and playgrounds: BOH votes to ban smoking.
5. Municipal-owned athletic fields: BOH votes to ban smoking.
6. Municipal-owned beaches and other swimming areas: BOH votes to ban smoking.
7. Membership Associations (private clubs): BOH votes to allow smoking except where food is served.
8. Nursing Homes: BOH votes to ban smoking except in designated outside areas and inside with regulations.
9. Hotels, motels, bed and breakfasts and lodging homes:
 - a. Hotels and Motels: BOH votes to ban smoking.
 - b. Bed and Breakfast: BOH votes to leave the decision up to the business owner's discretion.
 - c. Lodging Homes: BOH votes to treat this the same as Nursing Homes.

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10. All outdoor areas of restaurants, bars, taverns where food and/or beverages are sold, served or otherwise consumed or carried: BOH voted on a 50 foot buffer zone to building entrances, with a contingency that if the establishment is unable to meet the 50 foot regulation, a variance would be granted.
11. Public Transportation, buses, and taxi waiting areas: BOH votes for a 50-foot buffer zone with a variance if unable to meet the buffer zone.

General Discussion:

The Worcester Tobacco Coalition can write a ticket for the BOH to the establishment if the regulation is violated.

Discussion was held as to what the cost should be for a violation.

Fees for tobacco retailers will be increased from \$10/year to \$100/year.

Discussion was held as to what the fines would be for a retailer to violate regulations.

Venders need to be notified.

**Items 1-9 were discussed at the November meeting; items 10 and 11 were discussed in January.

Respectfully Submitted,
Sarah Scheinfein
BOH Chair
February 7, 2016