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## **Terry Goddard, Susan Gerard Reach Smoking Settlement with Bar Owners**

(Phoenix, Ariz. – Jan. 28, 2008) Attorney General Terry Goddard and Arizona Department of Health Services Director Susan Gerard today announced a settlement with four Phoenix area bars and their owners resolving allegations that they violated the Smoke-Free Arizona Act.

"In November 2006, Arizona voters decided they wanted public places and places of employment to be smoke-free," Goddard said. "This settlement is a signal to everyone that we will continue to vigorously enforce the Act, and any operators who continue to allow smoking indoors will face similar enforcement efforts."

Last May, inspectors from the Arizona Department of Health Services observed patrons smoking in violation of the Act in the Metro Sportz Bar, the Maverick Saloon, River City Pockets and the Boomerang Bar and Billiards. Inspectors also noted that the required "No Smoking" signs were not posted and ashtrays were still available.

At that time, the owners of the bars, Alfonso Larriva and Alfonso Ruiz, claimed that they were exempt from the Act because they had installed vents in their walls or had replaced windows with vents so that their establishments were no longer defined as "enclosed" areas of public places where smoking is prohibited.

"This is an important victory for Arizona's Smoke Free Act," Gerard said. "The real winners, though, are the employees and customers who no longer have to involuntarily breathe someone else's toxic smoke. We're seeing widespread support of and compliance with Arizona's smoke-free law. I'm proud to say Arizona has come a long way in protecting the public against secondhand smoke."

The settlement requires Larriva and Ruiz to pay \$10,000 in fines. The settlement also requires them to:

- Notify their current and prospective employees of the prohibition against smoking inside public places.

- Remove all ashtrays from areas where smoking is prohibited.
- Post the required “No Smoking” signs clearly and conspicuously at Metro Sportz Bar, Maverick Saloon, River City Pockets and Boomerang Bar and Billiards.
- Request any patron who is smoking to stop immediately.

Gerard said the \$10,000 settlement will more than cover all the state's costs in attempting to ensure the four bars comply with the Smoke Free Arizona Act.

The Act went into effect on May 1, 2007. It requires owners, operators and managers of most indoor public places to prohibit smoking. It also requires owners to post “No Smoking” signs, remove all ashtrays from areas where smoking is prohibited and tell people who are smoking in prohibited areas to stop immediately.

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