

**§1550. Smoking in outdoor eating areas**

**1. Definition.** As used in this section, "outdoor eating area" means a patio, deck or other property that is partially enclosed or open to the sky that is permitted for outdoor eating or drinking under the control of an eating establishment, as defined in section 2491, subsection 7, as long as food or drink is served by the eating establishment to the public for consumption on the premises.

[PL 2009, c. 140, §2 (NEW).]

**2. Smoking prohibited.** Smoking is prohibited in an outdoor eating area if the outdoor eating area or any portion thereof is open and available for dining and beverage service.

[PL 2009, c. 140, §2 (NEW).]

**3. Notification; request for compliance.** An eating establishment with an outdoor eating area shall post signs in accordance with section 1543, notify its patrons of the prohibition on smoking in outdoor eating areas and request that all persons within an outdoor eating area comply with this section.

[PL 2009, c. 140, §2 (NEW).]

**SECTION HISTORY**

PL 2009, c. 140, §2 (NEW).

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