

Requirements Necessary to Obtain an Exemption from the New Jersey Smoke Free Air Act

- The establishment must be enclosed by solid walls, windows, a ceiling, and a solid door.
- If it is located within an indoor public space or workplace, it must be equipped with a ventilation system that is separately exhausted from the indoor public space or workplace in which the tobacco retail establishment is located so that the air from the tobacco retail establishment is not recirculated to the indoor public space or workplace and is not back streamed into the indoor public space or workplace.
- The solid door of the retail tobacco establishment must remain closed at all times except when used for entry or egress. The use of a self-closing door is recommended.
- The ventilation system of the retail tobacco establishment must be maintained in operable condition to ensure that air from the tobacco retail establishment is separately exhausted and not recirculated to the non-smoking areas of the indoor public space or workplace in which it is located, and that smoke is not back streamed into the non-smoking areas.
- A sign stating smoking permitted as approved by N.J.A.C. 8:6 Appendix F & G must be posted on the entrance door.
- Plans must be submitted to the Somerset County Department of Health for approval as well the Construction Office in the municipality where the tobacco retail establishment is proposed.
- An inspection by Somerset County Department of Health is required once all local approvals are received and a minimum of once per year thereafter.
- N.J.A.C. 8:6 Appendix C must be filed with the Somerset County Department of Health one month prior to opening a new establishment and by April 15th of each year for renewals.