Municipal Tobacco Control Technical Assistance Program

Lisa Stevens-Goodnight, Director
c/o Massachusetts Municipal Association
3 Center Plaza, Suite 610
Boston, Massachusetts 02108
(617) 933-1669 ext. 152
FAX (617) 695-1314
lstevensgoodnight@mma.org

MUNICIPALITIES THAT PLACE LIMITATIONS BEYOND THE STATE LAW ON SMOKING IN PRIVATE CLUBS

Beverly	**Haverhill**
Boston	**Peabody**
Chelsea	**Revere**
Danvers	**Salem**
Freetown	

TOTAL: 9 municipalities (Cities indicated in bold letters.)
14.3% of the state population (998,685) lives in listed municipalities.

DETAILS BY CITY

BEVERLY
Membership Associations (private clubs) except for the bar area of a private club with active locations in Beverly prior to August 1, 2003, provided that the bar area is (a) separated from the non-smoking area of the private club by location in a separate room or by means of physical barriers that completely enclosed the bar area of the private club utilizing self-closing doors and is (b) served by a Board of Health-approved key entry system that prohibits entry by the general public into the bar area, and (c) employees must be members of the club. Any bar area that permits smoking cannot be used for bingo or beano. Any membership association which initiates active membership locations in Beverly on or after August 1, 2003 shall be smoke-free at all times.

CHELSEA
Private clubs if there are no paid employees. When a private club is open to the general public, that portion of said establishment open to the general public must be smokefree, separately enclosed and shall have self-closing doors. Catered events must be smokefree, including the kitchen area and any areas a third party contractor must pass through.

DANVERS
Private clubs in existence on or before January 2, 2004 if all employees are members. When a private club is open to the general public, that portion of said establishment open to the general public must be smokefree, separately enclosed and shall have self-closing doors. Private clubs shall provide to the Board of Health an annual maintenance report on their HVAC system, which shall be due at least 30 days prior to the January 1 licensing.

HAVERHILL
Pursuant to M.G.L. Ch. 270, §22(j) smoking is also hereby prohibited in membership associations as defined by M.G.L. Ch. 270, §22(a), except that smoking will be allowed in membership associations under the following conditions:

- Smoking will be allowed in a separate room under negative air pressure.

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- Room/ventilation system must be approved by the Fire Dept. Building Dept (plumbing/gas, elec.) as well as mechanical inspector
- Only full members of the club can use the smoking room.

PEABODY
The bar area of a private club, with active locations in Peabody at the time of the original enactment of this regulation, provided that as of the original enactment date it is (A) separated from the non-smoking area of the private club by location in a separate room or by means of physical barriers that completely enclosed the bar area of the private club utilizing self-closing doors and is (B) served by a board of health-approved key entry system that prohibits entry by the general public into the bar area, and (C) employees must be members of the club. Any bar area that permits smoking cannot be used for bingo or beano. Any private club which initiates active membership locations in Peabody after the date of enactment of these regulations shall be smoke free at all times.

REVERE
Private clubs if there are no paid employees. When a private club is open to the general public, that portion of said establishment open to the general public must be smokefree, separately enclosed and shall have self-closing doors. Catered events must be smokefree, including the kitchen area and any areas a third-party contractor must pass through.

SALEM
Private clubs that have a cap on all types if memberships: where key access is required for entry; where all employees are members; provided that there shall be no smoking in any part of the building when any part of the building is being used for a function open to the public or when any part of the building is being used for a private social function other than club functions and at members-only functions unless the following conditions are met during such a function:

•Smoking occurs only in those area(s) that are members only.
•Such an area, areas, is physically separated from the rest of the building by floor to ceiling walks and self-closing doors.
•Members only area is under negative pressure in comparison to function area
•Such an area, or areas, has a separate working ventilation system.
•Such an area, or areas, has separate make-up air
•All building code requirements must be met

Private clubs established after the passage of this Regulation [1/1/2004] shall not be considered an expectation.