



City of Boston
Mayor Michelle Wu
Licensing Board

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Executive Secretary:
Daniel R. Green

**THE LICENSING BOARD FOR THE CITY OF BOSTON’S ADVISORY
REGARDING SMOKING TOBACCO PRODUCTS WITHIN LICENSED PREMISES**

Issued: June 24, 2024

The Licensing Board for the City of Boston (the “Board”) issues this advisory (the “Advisory”) to remind all licensees that the smoking of any tobacco product, including e-cigarettes and hookahs, is not permitted within a licensed premise or on any adjacent or contiguous outdoor area where employees of the licensed premise may be present.

The [Clean Air Works Workplace Smoking Regulation](#) (the “Regulation”), promulgated and enforced by the Boston Public Health Commission (the “Commission”), regulates and restricts the use of smokable tobacco products within workplaces across the city.

1. The Regulation forbids the smoking of any tobacco product, including e-cigarettes and hookahs, within any workplace or work space.
2. A “workplace” is defined as “any enclosed indoor and adjacent outdoor area, structure or facility or any portion thereof at which one (1) or more employee(s) perform services for their employer, including but not limited to: retail food stores; retail stores; restaurants; bars; cafes; and bowling alleys.”
3. A “work space” is defined as “any enclosed indoor and adjacent outdoor area, structure or facility occupied by an employee during the course of his or her employment, including but not limited to: offices; customer service areas; common areas; patios/porches; decks; yards; loading docks; hallways; waiting areas; restrooms; lounges; and eating areas”
4. The above definitions include all premises licensed by the Board, including adjacent outdoor patios, where employees may be present at any time during the course of their employment. Any instance of smoking within a licensed premise or on an adjacent outdoor patio would constitute a clear violation of the Regulation.
5. Smoking Bars (establishments that are primarily devoted to the serving of tobacco products for consumption by guests on the premises) are prohibited in the City of Boston, with the exception of those Smoking Bars permitted by the Commission prior to November 1, 2008 whose permits have been properly renewed by the Commission.

Violations of the Regulation within any licensed premise may be subject to the imposition of fines by the Commission as well as disciplinary action by the Board, up to and including the suspension or revocation of any license issued by the Board.

Claims of ignorance of the law, the Regulation, or this Advisory are not a defense.

Any questions about the Regulation should be directed to the Boston Tobacco Prevention and Control Program at (617) 534-4718 or tobaccocontrol@bphc.org. Any questions about this Advisory should be directed to the Board's Executive Secretary, Daniel R. Green, Esq., who can be reached at (617) 635-4170 or licensingboard@boston.gov.

For the Board,

Daniel R. Green

Daniel R. Green, Esq.
Executive Secretary