



DETROIT METRO • WILLOW RUN  
WAYNE COUNTY AIRPORT AUTHORITY  
L.C. Smith Building • Mezzanine  
Detroit, Michigan 48242

www.metroairport.com

## MEMORANDUM

Date: September 14, 2012

Re: Wayne County Airport Authority Regulation Concerning Smoking  
near Indoor Enclosed Areas

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### **I. STATEMENT OF REGULATION**

The Wayne County Airport Authority (the "Authority") operates in full compliance with and enforces the smoking regulations found in Michigan Public Act 188 of 2009 (the "Smoke-Free Law") and the Wayne County Airport Authority Airport Ordinance (the "Airport Ordinance").

However, in order to better protect the Authority's environs and users from smoking-caused air pollution, smoking is hereby prohibited within 25 feet from any entrances to, exits from, windows that open into, and ventilation intakes that serve all indoor enclosed areas on the Authority's property. Attached to this Regulation are exhibits delineating the areas outside the McNamara Terminal, the North Terminal, and the Smith Building where smoking is prohibited.

This Regulation is supplemental to, and does not supersede or repeal, any other regulation of smoking on the Authority's property.

### **II. SUPPLEMENTAL INFORMATION**

#### **1. Definition**

For the purposes of this memorandum, "smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance that contains a tobacco product.

#### **2. Chief Executive Officer's Authority to Regulate**

The Authority's Board, in Section 6 of the Airport Ordinance, authorizes the Chief Executive Officer to "formulate, propose, and enforce by administrative action ... rules and regulations which are consistent with this Ordinance and which are necessary or useful ... [t]o protect Airport environs and users from forms of ... air ... pollution as the CEO deems feasible."

### 3. Existing Regulation of Smoking on Authority Property

The Smoke-Free Law bans smoking in most enclosed indoor public areas. Under the Smoke-Free Law, smoking is prohibited inside the Authority's buildings, including its terminals, because each building is "an enclosed, indoor area owned or operated by a state or local governmental agency and used by the general public or serving as a meeting place for a public body."

The Airport Ordinance prohibits (i) carrying a lighted cigar, cigarette, pipe or other lighted smoking device in any public area of the Airport terminals which is not specifically designated for smoking, (ii) smoking in any non-terminal area of an Authority airport designated as a "non-smoking" area, and (iii) carrying any lighted smoking materials, matches lighters or similar devices, oxy-acetylene torches, electric arcs, or similar flames within 100 feet of any aircraft being refueled, or within 50 feet of any parked aircraft or tank vehicle containing any flammable or combustible liquid.

### 4. Penalties

Section 6.13(c) of the Airport Ordinance provides that "[a]n individual shall not smoke in any non-terminal area ... designated as a 'non-smoking' area," and that "[v]iolation of this Subsection is a misdemeanor." Therefore, violation of this Regulation is a misdemeanor.

### 5. Severability

If any section, paragraph, sentence, clause, phrase or any part of this Regulation is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts hereof shall be in no manner affected thereby but shall remain in full force and effect.

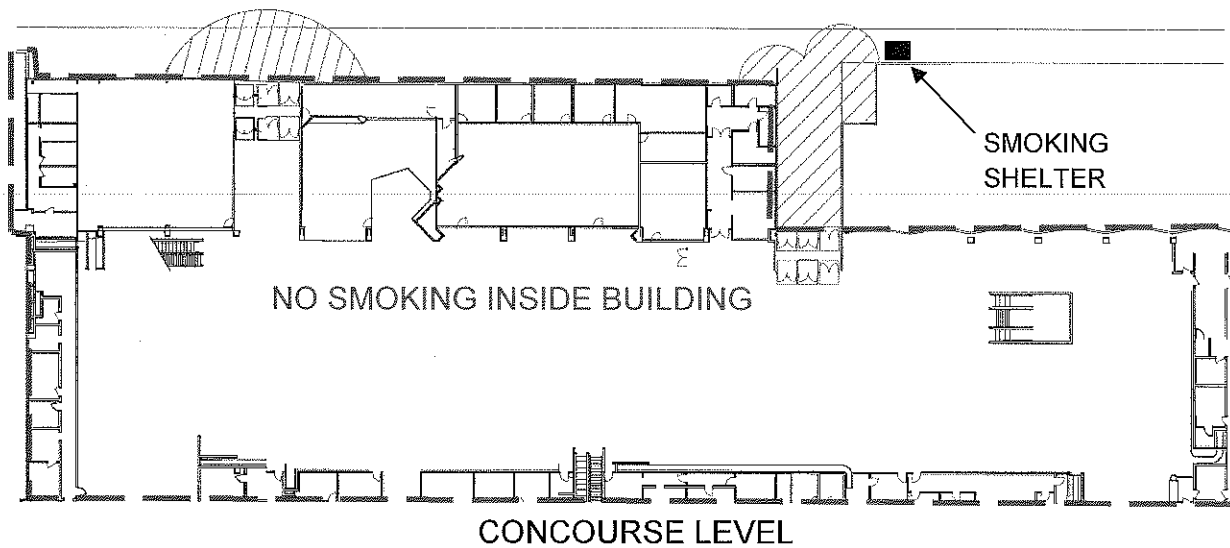
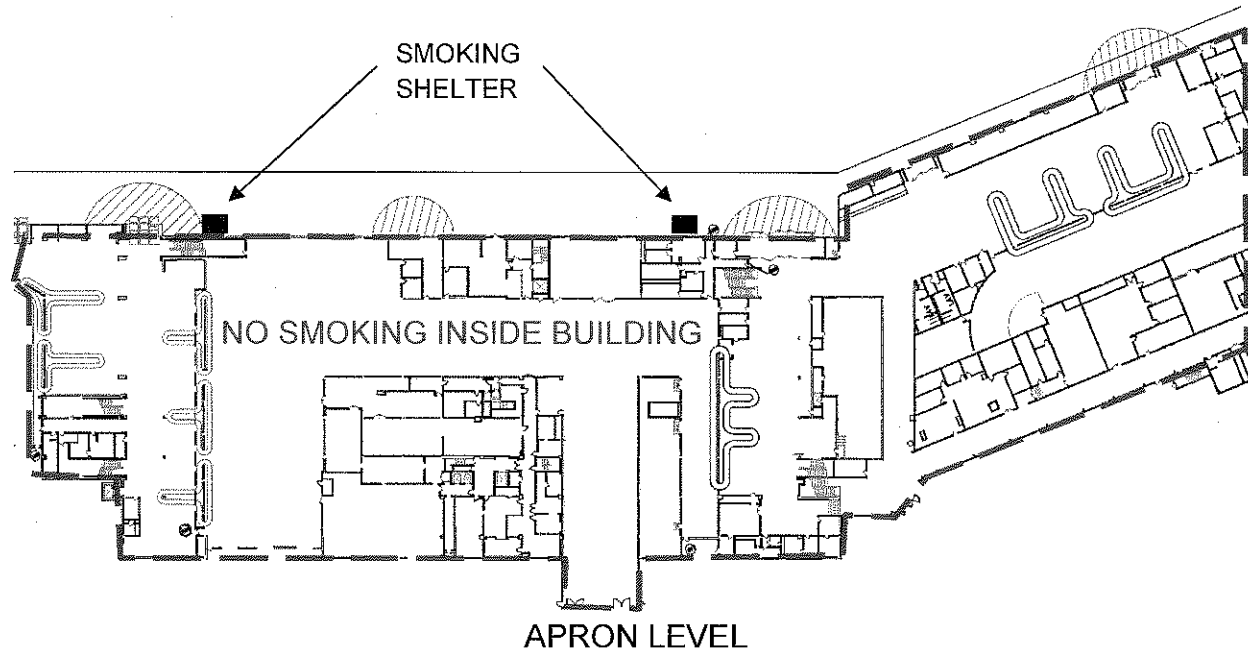
### 6. Effective Date


This Regulation is effective immediately.

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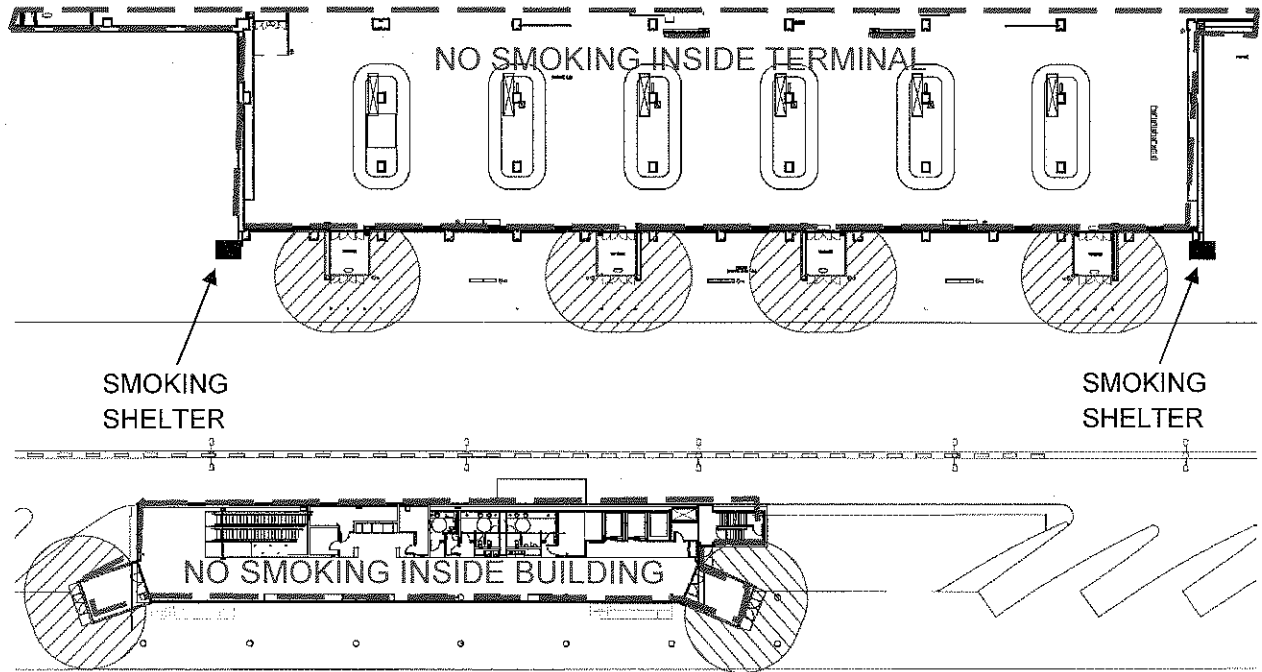


Thomas J. Naughton  
Interim Chief Executive Officer

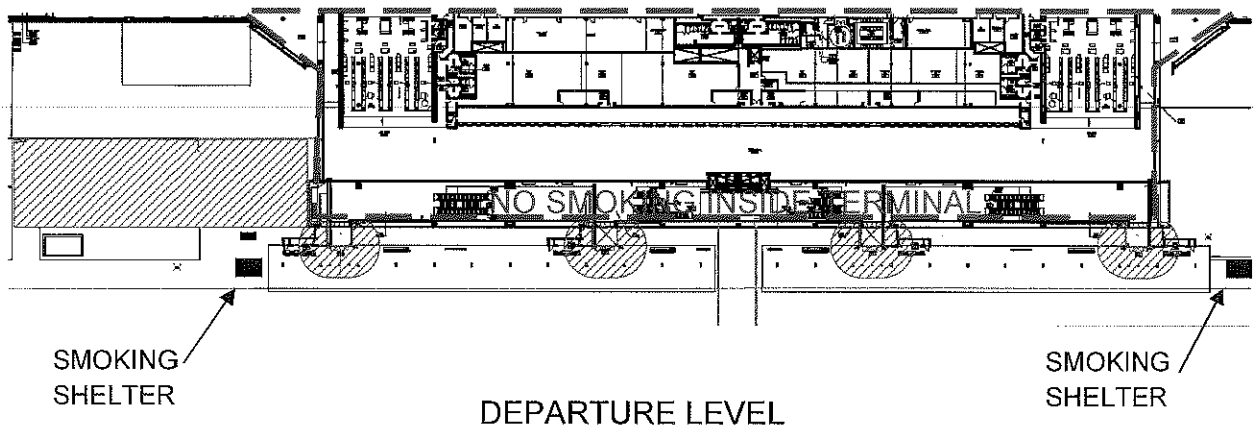


"NO SMOKING" AREA  
 OUTSIDE 


**SMITH BUILDING**



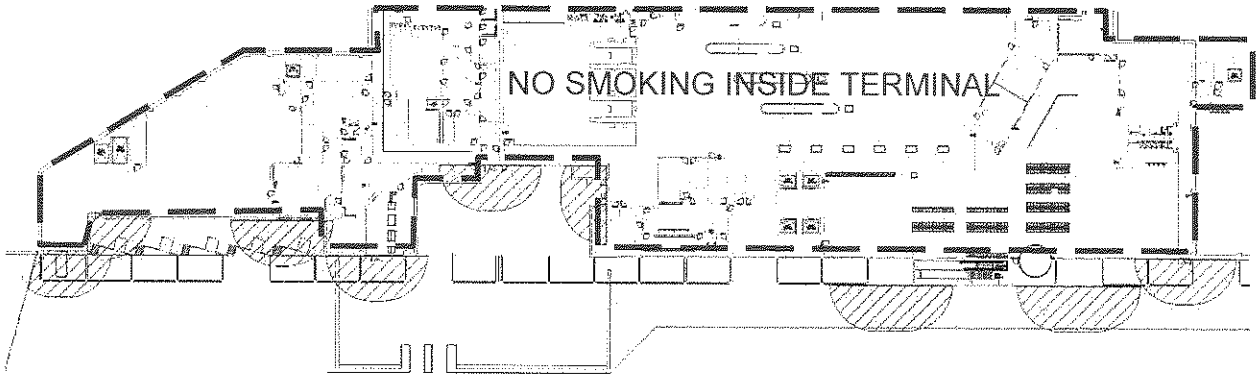
APRON LEVEL



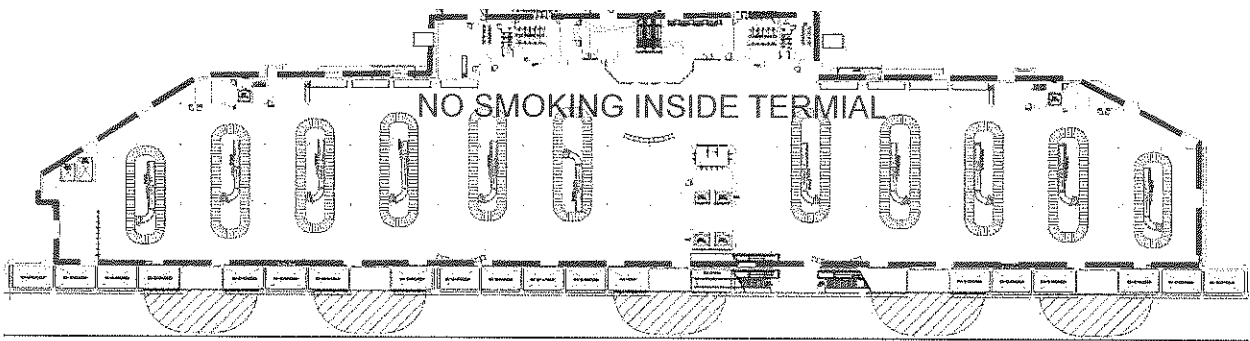
DEPARTURE LEVEL

"NO SMOKING" AREA  
OUTSIDE 

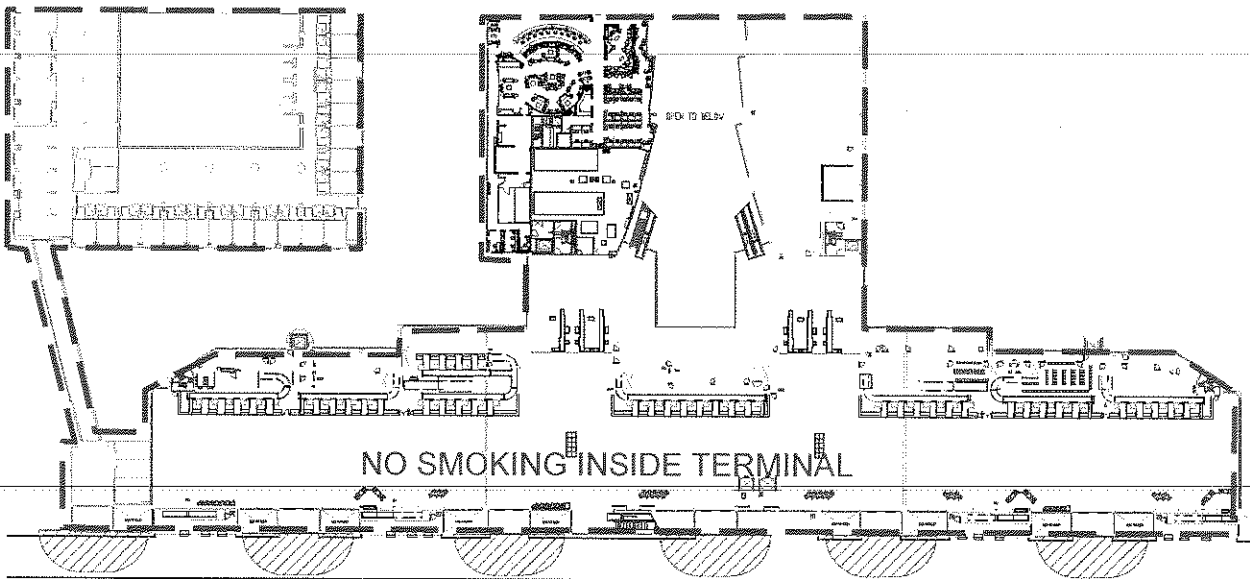
**NORTH TERMINAL & GROUND TRANSPORTATION CENTER**



INTERNATIONAL ARRIVALS LEVEL




DOMESTIC ARRIVALS LEVEL

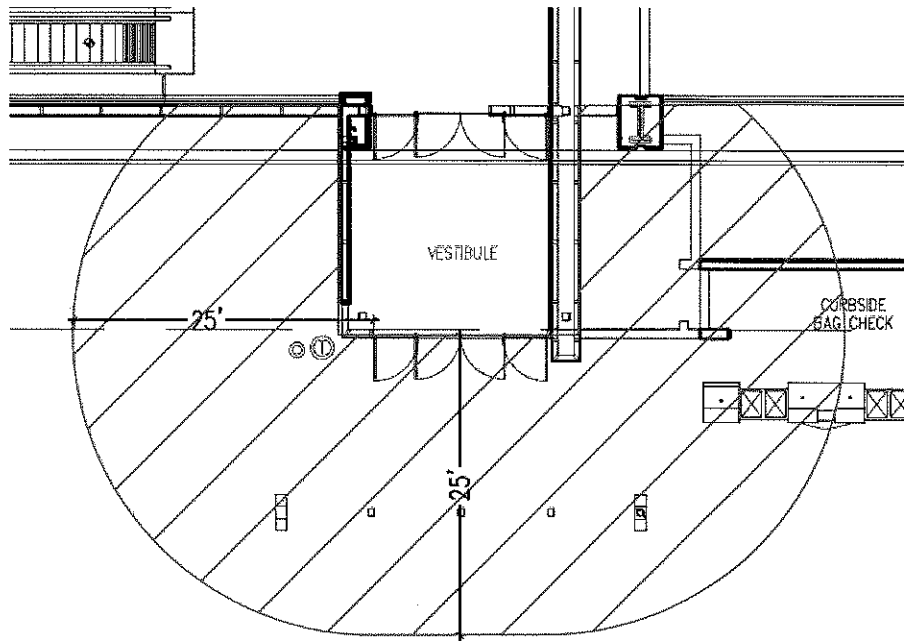


DEPARTURE LEVEL

"NO SMOKING" AREA

OUTSIDE 

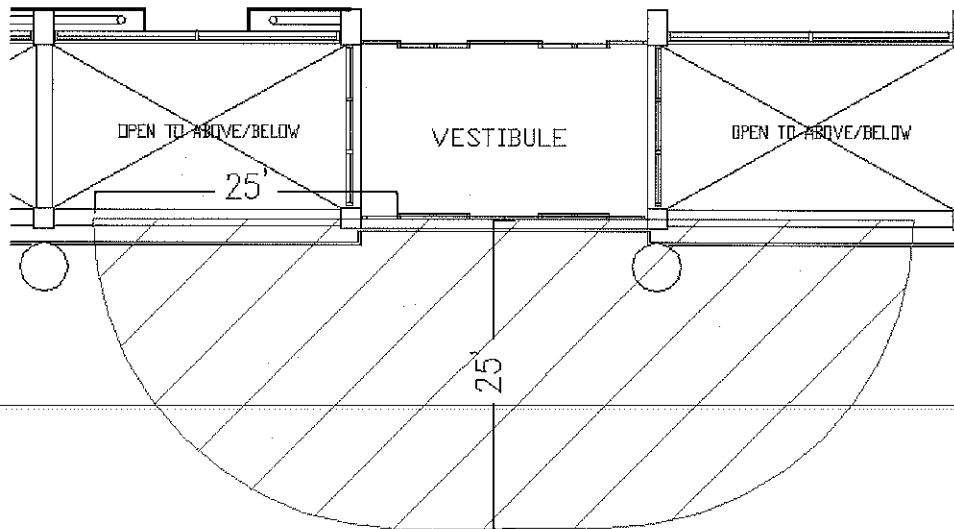
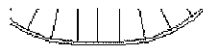
McNAMARA TERMINAL



CURB

OVERHEAD CANOPY LINE

TYPICAL DOOR – NORTH TERMINAL



CURB

TYPICAL DOOR – McNAMARA TERMINAL