

Instructions for Applying for Cigar Bar Certification

The Oregon Indoor Clean Air Act (ICAA) [ORS 433.835 - 433.990] prohibits smoking in almost all public places and places of employment. Cigar smoking is permitted in a business that qualifies as a cigar bar under ORS 433.835. Cigar bars must meet certain criteria and abide by specific rules to permit cigar smoking indoors [ORS 433.835 and 433.850; OAR 333-015-0066].

To apply for certification as a cigar bar, submit the following documentation in one packet to the Oregon Health Authority (OHA):

- 1. A completed OHA Application for Cigar Bar Certification, including the notarized affidavit.
- 2. A copy of the cigar bar's full on-premises liquor sales license issued by the Oregon Liquor Control Commission under ORS 471.175.
- 3. A copy of the floor plan submitted to the Oregon Liquor Control Commission for the cigar bar's full on-premises liquor sales license. The floor plan must include a detailed seating chart that shows a maximum seating capacity of no more than 40 persons.
- 4. Documentation demonstrating that the business has a ventilation system that exhausts smoke from the business and that is designed and terminated in accordance with the state building code standards for the occupancy classification in use:
 - A. A copy of the cigar bar's certificate of occupancy; **and**
 - B. Official documentation from the building authority with jurisdiction that the business was approved as a smoking lounge (if the certificate of occupancy does not show that the business was approved *as a smoking lounge*).
- 5. Photographs or copies of signs prohibiting persons under 21 years of age from entering the premises.
- 6. A completed and signed OHA Secondhand Smoke Document, which explains the dangers of exposure to secondhand smoke, for each cigar bar employee. This document is available at <https://www.oregon.gov/> or can be provided after sending Form request to ICAA.certification@dhsoha.state.or.us.
- 7. Financial documentation demonstrating that the cigar bar generated on-site retail sales of cigars of at least \$5,000 in the calendar year 2006. Such documentation may include cash register tapes, inventory receipts, and purchase orders.
- 8. Authorization Form (*optional*) listing additional individuals authorized to communicate with OHA on behalf of the cigar bar.

All required documentation must be included for OHA to consider the cigar bar's application for certification.



Application Review and Notification Process [OAR 333-015-0066(3)]

OHA will review the application materials within 30 days of receipt to determine whether the application is complete. If the application is incomplete, OHA will send a notice of incomplete application to the e-mail and/or mailing address provided in the application.

Within 10 days of declaring the application complete, OHA will either grant the cigar bar certification or deny the application.

OHA may deny an application for cigar bar certification and prohibit an applicant from reapplying for up to two years if the applicant provides information that is false or deliberately misleading.

OHA reserves the right to request additional information after certification to determine the cigar bar's compliance with the ICAA.

Include a separate application packet for each cigar bar. Keep a copy of all application materials for your records.

E-mail the completed application packet to ICAA.certification@dhsosha.state.or.us. All required documentation and all supporting documents must be submitted as one PDF document (attachment). All required documentation must be included for OHA to consider the business's application for cigar bar certification.

2. Notarized Affidavit

I, _____, am the _____ of
(First Name Last Name) (Title)

_____ and have the knowledge necessary to attest that the cigar
(Cigar Bar Name)

bar:

- Has on-site sales of cigars as defined in ORS 323.500;
- Has a humidor on the premises;
- Prohibits the smoking of all tobacco products other than cigars;
- Prohibits persons under 21 years of age from entering the premises;
- Does not offer video lottery games on the premises;
- Has a maximum seating capacity of 40 persons; and
- Generated on-site retail sales of cigars of at least \$5,000 in the calendar year 2006.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Printed Name of Affiant

Date

Signature of Affiant

Date

State of _____)

County of _____)

This instrument was acknowledged before me on (date) _____ by
(name of person) _____.

Signature of notarial officer: _____ (seal)

My commission expires: _____



3. Authorization Form *(optional)*

Use this form to list any individuals, other than the manager or the owner listed on the application form, who are authorized to communicate with OHA regarding this business's cigar bar certification. OHA will only accept information and requests on behalf of the cigar bar from the individuals listed here and on the application form. You may add more lines to this form if necessary.

_____	_____
(First Name Last Name)	(Title)
_____	_____
(First Name Last Name)	(Title)
_____	_____
(First Name Last Name)	(Title)
_____	_____
(First Name Last Name)	(Title)

The persons listed above are authorized to communicate with OHA on behalf of _____ and to take action regarding this business's cigar bar certification. This list may be amended by the business owner at any time.

(Cigar Bar Name)

Printed Name of Owner

Signature of Owner

Date