



**REBUTTAL APPLICATION
including Review Criteria**

Date of application: _____

Owner/Manager: _____ Phone: _____

Business name: _____

Address: _____
(Street) (City) (Zip)

I seek to rebut the assumption in RCW 70.160 that it is necessary to prohibit tobacco smoking within 25 feet of entrances, exits, windows that open, and ventilation intakes for my establishment above.

1. I propose that the distance should be reduced from 25 feet as described below
(Note to applicant: You may attach pages to this form as needed)

2. I have attached a map of my establishment that shows the reduced distance I propose. I understand that the map must show all entrances, exits, windows that open, and ventilation intakes within 25 feet of the smoking area I propose.

3. I have described below the evidence that tobacco smoke will not come into my establishment if smoking is allowed in the areas as shown on the map referred to above. (You may attach pages to this form as needed)

4. If my proposal is approved, I will monitor the effectiveness of the reduced distance in keeping tobacco smoke from coming into my establishment by: (List the ways you will measure effectiveness and exactly what actions you will take if tobacco smoke comes into your establishment)

I understand that any reduction in the 25-foot distance approved for this establishment will apply only to the specific description and circumstances described above and in attached pages and will not apply to any other nearby establishment. I further understand that Snohomish Health District will investigate future complaints of secondhand tobacco smoke in my business and may modify or revoke their approval of a reduced distance based on the investigation.

Signature of owner/manager: _____

**NOTE: A review fee of \$100 must be paid with this application.
This application will be returned to you if payment is not included.**

Attach additional comments and drawings as needed. (Do not write below this line)

Tobacco Prevention and Control Program evaluation: _____

Approval: Yes No _____
(Tobacco Prevention and Control Program Signature) (Date)

Approved with the following conditions and deadlines: _____

Smoking in Public Places: Review Criteria 25 foot Rebuttal Requests

The following criteria will be considered in the determination of approval/disapproval of 25-foot rebuttal requests:

1. Was the application fee enclosed?
2. Is there a clear and justifiable reason for the business submitting the request to not be able to comply with 25 feet from doors, windows that open, or ventilation intakes?
3. Are maps and other required documentation adequately provided to ascertain the layout and scope of the building? (#2)
4. Does the information submitted with the application provide clear and convincing evidence that smoke will not infiltrate or reach doors, windows that open, or ventilation intakes that serve a public place or place of employment?
5. Is the quality or quantity of data submitted adequate to justify the request? (#3)
6. Is monitoring the effectiveness of the reduced distance over time addressed? (#4)
7. Will allowing smoking within a lesser distance eliminate an existing safety hazard (i.e. residents in long-term care/ nursing facilities)?
8. Additional information that is needed, or concerns to be addressed, in order to clarify the application.