

Sample Model Policy

Option 1

Local County/Municipal Buildings

A POLICY PROHIBITING TOBACCO USE IN COUNTY/MUNICIPAL BUILDINGS

A. Purpose

The County/City/Town of _____ recognizes the health risks of tobacco use and secondhand smoke for non-smokers. The County/City/Town of _____ is committed to providing a safe work environment for employees, volunteers, contractual persons, and the public by prohibiting tobacco use in any building or structure owned or leased by the County/City/Town. The aim is to minimize the harmful effects of tobacco use among staff and eliminate secondhand smoke exposure for staff and the public in those buildings controlled by the County/City/Town. In support of this commitment, tobacco use will be prohibited in all County/City/Town-owned or leased buildings, (grounds) *note: option for local county health department and social services]* and vehicles.

B. Definitions

“Grounds” – The area located within 50 linear feet of a building wherein a local health department or a local department of social services is housed.

“Smoker” – A person who is smoking.

“Smoking” – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.

“Tobacco products” – Any product that contains tobacco and is intended for human consumption.

C. Policy

Tobacco Use is prohibited in all of the following:

- (a) Buildings that are owned by the County/City/Town.
- (b) Buildings that are leased by the County/City/Town as lessor.
- (c) Buildings or areas of buildings that are leased by the County/City/Town as lessee and occupied by the County/City/Town.
- (d) Public transportation vehicles owned or leased by County/City/Town and used by the public.

[FOR COUNTIES ONLY: (e) The grounds of any building housing one or more components of _____ County Health Department or the _____ County Department of Social Services.

D. **Applicability** – This policy applies to all employees, volunteers, contractual persons and the public.

E. **Signage**

(a) Persons in charge of buildings identified in Section C shall post signs at all entrances and exits explaining the prohibition on tobacco use. Signs may be posted in other areas of the buildings as well. For example, signs may be posted in other areas in the building where tobacco use is likely, such as bathrooms and dining areas.

(b) Persons in charge of vehicles identified in Section C shall post signs in the vehicles explaining the prohibition. The signs must be displayed in areas where passengers will be able to see the signs but the placement of the signs must not interfere with the safe operation of the vehicle.

(c) The signs required by subsections (a) and (b) of this Section must be use clear and unambiguous language to convey the prohibition. The signs may include language such as “TOBACCO FREE BUILDINGS,” “TOBACCO USE PROHIBITED IN THIS BUILDING,” "TOBACCO USE NOT PERMITTED IN THIS BUILDING," or "TOBACCO USE NOT PERMITTED IN THIS VEHICLE." If a sign includes the international “No Tobacco Use” symbol (which consists of a pictorial representation of a burning cigarette and smokeless tobacco enclosed in a red circle with a red bar across it), it must also include written text explaining the prohibition.

(d) Persons in charge of buildings and vehicles identified in Section C must determine whether signs should be posted in languages other than English.

(e) All publicly available ashtrays shall be removed from any area where smoking is prohibited by this ordinance by the owner, operator, manager, or other person having control of the area.

F. **Public Education**

The _____ [Health Department *or* City Manager *or* County Manager], Human Resources and supervisors shall engage in a continuing program to explain and clarify the purposes and requirements of this policy to employees, volunteers, contractual workers and citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected buildings and individuals explaining the provisions of this policy. The policy shall be included and documented as part of all new employee orientations. Human Resources and supervisors are responsible in answering employee questions related to the smoking cessation programs/options.

G. Tobacco Cessation Programs

The County/City/Town of _____ provides support to employees who want to quit the use of tobacco products. These employees are encouraged to talk to their health care provider about quitting; ask about appropriate pharmacotherapy available through the county/city/town health insurance plan or employee's insurer and use the free quitting support services of the North Carolina Tobacco Use Quitline at 1-800-QUIT-NOW. Employees are permitted to take breaks to use the Quitline services during work time. Smoking/tobacco use cessation classes are offered free of charge to employees through _____ (e.g. Health Department, Project ASSIST, local American Lung Association or American Cancer Society). _____ providers are also available for educational sessions or consultation regarding tobacco use or aides in quitting, if desired by employees.

H. Smoking Permitted Outside Buildings

Tobacco use is permitted outside the buildings identified in Section C, provided that the person smoking does not stand adjacent to a public entrance or air intake vent. [FOR COUNTIES ONLY—Use of tobacco products is prohibited within 50 feet of buildings when they house a Health Department or Social Services function.]

I. Compliance and Penalties

(a) A person in charge of the building, management and supervisors shall ensure the smoking policy is enforced. This does not preclude employees from bringing violations to the attention of their management and/or human resources.

(b) Employees are responsible for complying with the smoking policy. Employees who violate this policy may be subject to sanctions consistent with County/City Human Resources Personnel Policies.

(c) A person in charge of the building or vehicle identified in Section C or his or her designee, management and supervisors who see an individual (other than an employee) who is smoking in violation of this policy must ask the individual to stop using the tobacco product. If, after having been asked to stop using tobacco, the individual continues to use a tobacco product, the person in charge shall issue a warning and must ask the individual to leave the building.

J. Effective Date

This policy shall be effective [no earlier than January 1, 2008].

Adopted this _____ day of _____, 20__.