

**DELAWARE COUNTY**

Subject	Effective	Supersedes	This Sheet	Total
Smoke-Free Workplace Policy	12/19/94 Resolution 94-895		1	2

1.0 Purpose

The purpose of this policy is to protect the employees, public, and County property from Hazards of secondary smoke.

2.0 Scope

All Appointing Authorities, department heads, and employees of Delaware County

3.0 Distribution

To all Appointing Authorities, department heads, and employees of Delaware County.

4.0 Definitions

5.0 Policy

**RESOLUTION DECLARING A SMOKING BAN IN “PLACES OF PUBLIC ASSEMBLY” AS DEFINED IN OHIO REVISED CODE SECTION 3791.031 WHICH ARE IN THE OWNERSHIP BY DELAWARE COUNTY**

Whereas, the United States Surgeon General has identified smoking as the United States single most preventable health risk factor. The Federal Environmental Protection Agency has issued recent findings on the hazards of environmental tobacco smoke (ETS) stating that it is now classified as a known human carcinogen. The National Institute for Occupational Safety and Health (NIOSH) recommends exposures to ETS be reduced to the lowest feasible concentration. The State of Ohio Department of Health reports that 20,000 deaths result annually, and \$3.5 billion is the cost in direct health care services, lost income and productivity due to smoking. The Occupational Safety and Health Administration (OSHA) has proposed standards addressing indoor air quality restricting smoking. The Americans with Disabilities Act of 1990 requires reasonable accommodations be provided to people with disabilities, including patrons and employees, which includes smoke free environments for people with respiratory disabilities who work or require services in county buildings; and

Whereas, a recent poll of Delaware County Elected Officials showed that seven out of eight Elected Officials are in favor of restricting smoking from County buildings.

Whereas, pursuant to ORC 3791.031 (B), the legislative authority of a political subdivision has the authority to assign an officer to designate County-owned facilities and other enclosed structures as non-smoking areas; and

Whereas, the legislative authority which owns and operates the public facilities and maintains property of County government, the Delaware County Board of Commissioners are responsible for the provision of air quality limits which meet public health standards and prevent smoke related illness, loss of life and property damage;

Therefore, be it resolved, that the Delaware County Board of Commissioners authorizes the President of the Board of Commissioners as the designating officer charged with communicating this Resolution to all County officeholders and department heads, designating areas as “no smoking”, and enforcing this policy among other elected officials, employees, and visitors to buildings and vehicles owned, leased or under the control of and by Delaware County offices and departments; and

Be it further resolved, pursuant to ORC 3791.031 (B), that the designation shall be made by the placement of “no smoking” signs that are clearly visible and shall not be removed; and

Be it further resolved, pursuant to ORC 3791.031 (D), “No person shall smoke in any area designated as a no smoking area in accordance with division (B) of this section, and;

Be it further resolved, pursuant to ORC 3791.031 (E), “Whoever violates this section (ORC 3791.031) is guilty of a minor misdemeanor,” and;

Be it further resolved, that the President of the Board of Commissioners shall enforce this ban through written personnel policies; and

Be it further resolved, that in order to allow Delaware County Elected Officials and employees to become accustomed to smoke-free environments, Delaware County will, as of January 1, 1995, provide stop-smoking programs to Elected Officials and employees on a voluntary basis, and;

Be it further resolved, that enforcement of designated no-smoking areas and this resolution will become effective on July 1, 1995.