

# Warren County Board of Supervisors

## RESOLUTION NO. 303 OF 2013

**Resolution introduced by Supervisors Taylor, Strainer, Loeb, McDevitt, Frasier, Mason and Vanselow**

### **APPROVING THE WARREN COUNTY SMOKING AND TOBACCO USE POLICY**

WHEREAS, Resolution No. 480 of 2003 rescinded Resolution Nos. 207 of 1988, 569 of 1995 and 637 of 1998 regarding a No-Smoking Policy effective July 24, 2003 as New York State's Clean Indoor Air Act superceded the no-smoking policy effective at that time, and

WHEREAS, a new No-Smoking Policy consistent with the provisions of New York State's Clean Indoor Air Act has been developed which prohibits smoking and tobacco use in all County buildings, all County vehicles and within fifty (50) feet of all County buildings, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby adopts the Warren County Smoking and Tobacco Use Policy attached hereto as Schedule "A" effective May 17, 2013, and be it further

RESOLVED, that as required by the policy, each Department Head and/or his/her designee shall provide a copy of the policy to all new and current employees.

SCHEDULE "A"

**Warren County**

**SMOKING AND TOBACCO USE POLICY**

**A. PURPOSE**

The purpose of this policy is to ensure compliance with federal and state law on the use of tobacco products in places of employment, including public buildings, as well as to control smoking in areas immediately surrounding the workplace.

The New York State Clean Indoor Air Act ("Act") prohibits smoking in all places of employment, which includes all County facilities and all County vehicles. Further, Warren County prohibits smoking and tobacco use within 50 feet of County buildings. More specifically, the purpose of this policy and consistent with the Act is to protect Warren County employees and the general public visiting Warren County buildings from the dangers of secondhand smoke.

**B. REGULATIONS AND PROCEDURES**

1. This policy applies to all County departments, County employees, Elected Officials and the general public.

Smoking and tobacco use are prohibited in all County buildings, in all County vehicles, and within fifty (50) feet of any County building. A County "building" shall be defined as any building that the County owns, leases or maintains.

Cigarette butts shall be properly disposed of in the areas where smoking is permitted in the containers designed for such. Under no circumstances shall cigarette butts be disposed of in the building vestibules, inside County buildings, or in trash cans. The containers shall be placed at locations determined by the Buildings and Grounds Department, but in no event less than fifty (50) feet from any County building.

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2. The Buildings and Grounds Department will be responsible for prominently posting and properly maintaining signage describing the prohibitions set forth in this policy for County Buildings and where smoking and tobacco use is prohibited by this policy.
3. A written copy of this policy shall be provided to all employees.
4. Employees who smoke or use tobacco in prohibited areas are in violation of New York State Law and/or County policy and will be subject to appropriate disciplinary actions.
5. Each department head and/or his/her designee shall be responsible for the following:
  - provide copies of this policy to all new and current employees;
  - take disciplinary action against employees who violate this policy;
  - make a good faith effort to ensure that the “general public” complies with this policy within their department’s work locations.
6. Employees who witness a violation of this policy should notify their supervisor/ department head. If the violation persists, employees may contact the County Administrator directly at 761-6539.

**C. EXCEPTIONS**

To the extent that any of the terms of the existing smoking and tobacco use policies in place on the effective date of this policy at the Westmount Health Facility or Countryside Adult Home conflict with any terms of this policy, the terms of the existing smoking and tobacco use policies that are in place at the Westmount Health Facility or Countryside Adult Home shall control. Otherwise, this policy shall be applicable to the Westmount Health Facility and Countryside Adult Home.

**D. EFFECTIVE DATE**

This policy to be effective May 17, 2013 by Warren County Board of Supervisors Resolution No. 303 of 2013.