

RESOLUTION 2004-23

A RESOLUTION AMENDING TOOELE COUNTY PERSONNEL POLICIES AND PROCEDURES SECTION 19.C, REGARDING SMOKING IN COUNTY VEHICLES

WHEREAS, it is necessary to clarify personnel policies regarding military leave;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY THAT Section 19.C of the Tooele County Personnel Policies and Procedures is hereby amended to read:

C. POLICY:

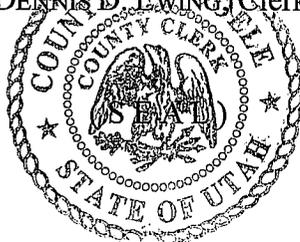
1. All Tooele County buildings, whether owned by the county used by the county for county programs or leased by the county, are public buildings. No county employee shall smoke inside a county building.
2. Smoking is prohibited in all private, enclosed offices within county buildings. Ventilation systems in county buildings are designed for uniform air distribution, which means that persons with adjacent offices frequently breathe the same air.
3. Smoking is prohibited in all vehicles which are owned by the county or used for county purposes. Smoking creates a potential safety hazard for passengers and the driver by needlessly distracting the driver's attention. It also makes the vehicle less attractive to the next user.
4. If repeated violations or complaints concerning this policy occur, primary enforcement may be assumed by the Tooele County Health Department.
5. Lighted tobacco products are prohibited within 25 feet of any building entranceway, exit, air intake or window which can be opened.

EFFECTIVE DATE: This resolution shall take effect immediately upon passage.

DATED this 28th day of December 2004.

ATTEST:


DENNIS D. EWING, Clerk



TOOELE COUNTY LEGISLATIVE BODY


DENNIS ROCKWELL, Chairman

Commissioner Rockwell voted aye
Commissioner White voted aye
Commissioner Lawrence voted aye

APPROVED AS TO FORM:



DOUGLAS J. AHLSTROM
Tooele County Attorney

SECTION 19
SMOKING REGULATIONS

A. **PURPOSE:** Tooele County is concerned about the health and safety of county employees and the patrons of county buildings. The intent of this policy is to foster the health and safety of all county employees and the public, both smokers and nonsmokers and to comply with the provisions of the Utah Indoor Clean Air Act. Tobacco smoke, or smoke from any other plant, in enclosed areas is harmful to the health of smokers and nonsmokers, especially those with allergies or respiratory or cardiovascular disease. Tobacco and non-tobacco smoke in enclosed places is also a public health nuisance and a cause of material annoyance, discomfort, and physical irritation to nonsmokers. A recent EPA report places secondhand smoke in the agency's "most dangerous" category (Group A carcinogens), a select list of cancer-causing substances that includes asbestos and radon.

B. **DEFINITIONS:** As used in this section:

1. "Building" means any enclosed, indoor area used by the general public, or is a place of employment and includes, but is not limited to, elevators, restrooms, cubicles, lobbies or waiting areas, hallways, jails and training rooms.
2. "Public meeting" means all county or county-sponsored meetings open to the public.
3. "Smoking" includes, but is not limited to, carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment.

C. **POLICY:**

1. All Tooele County buildings, whether owned by the county, used by the county for county programs or leased by the county, are public buildings. No county employee shall smoke inside a county building ~~or at any public meeting.~~
2. Smoking is prohibited in all private, enclosed offices within county buildings. Ventilation systems in county buildings are designed for uniform air distribution, which means that persons with adjacent offices frequently breathe the same air.
3. Smoking is prohibited in all vehicles which are owned by the county or used for county purposes. Smoking creates a potential safety hazard for passengers and the driver by needlessly distracting the driver's attention. It also makes the vehicle less attractive to the next user. ~~This paragraph does not restrict smoking in county vehicles exclusively assigned to one individual, except when there is a nonsmoking occupant.~~
4. Notwithstanding any provision to the contrary stated herein, this policy shall not apply to the designated smoking room at the transitional care facility for use by the chronically mental ill patrons of that facility; however, no county employee shall

smoke at that facility.

5. Lighted tobacco products are prohibited within 25 feet of any building entranceway, exit, air intake or window which can be opened.

D. ENFORCEMENT:

1. Responsibility for the primary enforcement of this policy rests with each elected officer or department head, supervisor, or manager within each county building.
2. All employees have a responsibility to encourage co-workers and the visiting public to comply with this policy by politely reminding smokers that county buildings are designated nonsmoking and directing them to the nearest ashtray if necessary.
3. Complaints for violations of this policy or the Utah Indoor Clean Air Act by employees should be brought to the attention of that employee's supervisor or department head. The supervisor or department head shall determine the appropriate action to be taken.
4. If repeated violations or complaints concerning this policy occur, primary enforcement may be assumed by the Tooele County Health Department.
5. Employees who violate the provisions of the Utah Indoor Clean Air Act as outlined for Tooele County buildings and vehicles by this section are subject to criminal prosecution by the Tooele County Health Department in a court of appropriate jurisdiction, in addition to disciplinary action.