

Warren County Board of Supervisors

RESOLUTION NO. 523 OF 2016

Resolution introduced by Supervisors Girard, Wood, Strough, Conover, Seeber, Beaty, Montesi, Braymer, Simpson, Leggett and MacDonald

AMENDING 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WHEREAS, Resolution No. 480 of 2003 rescinded Resolution Nos. 207 of 1988, 569 of 1995 and 637 of 1998 regarding a No-Smoking Policy effective July 24, 2003 as New York State's Clean Indoor Air Act superceded the no-smoking policy effective at that time, and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, the County enacted a new No-Smoking Policy consistent with the provisions of New York State's Clean Indoor Air Act by Resolution No. 303 of 2013, and

WHEREAS, the Board of Supervisors amended the policy to prohibit smoking at any place on the Municipal Center campus by Resolution No. 302 of 2016, and

WHEREAS, the County Facilities Committee has recommended that the policy be further amended to allow individuals to smoke in their personal vehicles, provided that the vehicles are parked at least fifty feet (50') from any County building and in certain designated areas identified by the Chairman of the Board of Supervisors, the Superintendent of the Department of Public Works and the Superintendent of Buildings, for a period of one year, at the conclusion of which smoking will be banned from all County-owned properties, and

WHEREAS, the Warren County Smoking and Tobacco Use Policy has been codified in the Warren County Plans and Policies in Chapter III (section .140 to .143), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby further amends the Warren County Smoking and Tobacco Use Policy attached hereto as Schedule "A" effective December 16, 2016, and be it further

RESOLVED, that as required by the policy, each Department Head and/or his/her designee shall provide an electronic or paper 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 in all areas, indoors and outdoors, within the area of the Municipal Center campus situated at 1340 State Route 9, and within 50 feet of all other County buildings. For a period of one year beginning on December 16, 2016, smoking will be permitted in personal vehicles which must be parked at least 50 feet from any County building and in designated areas identified by the Chairman of the Board of Supervisors, the Superintendent of the Department of Public Works and the Superintendent of Buildings. At the conclusion of the one year period, smoking will be banned on all County-owned properties. 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 areas, indoors and outdoors, within the area of the Municipal Center campus situated at 1340 State Route 9, and within all other County buildings, in all County vehicles, and within fifty (50) feet of any County building not

RESOLUTION No.523 2016

PAGE 3 OF 4

situated on the Municipal Center campus. For a period of one year beginning on December 16, 2016, smoking will be permitted in personal vehicles which must be parked at least 50 feet from any County building and in designated areas identified by the Chairman of the Board of Supervisors, the Superintendent of the Department of Public Works and the Superintendent of Buildings. At the conclusion of the one year period, smoking will be banned on all County-owned properties 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.

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 or electronic 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 electronic or paper 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

RESOLUTION No. 523 OF 2016

PAGE 4 OF 4

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 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 Countryside Adult Home shall control. Otherwise, this policy shall be applicable to the 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. The amendments hereto made by Resolution No. 523 of 2016 shall take effect on December 16, 2016.