

TO: ALL OCCUPANTS AND USERS OF COUNTY FACILITIES

**FROM: VERDENIA C. BAKER
COUNTY ADMINISTRATOR**

PREPARED BY: RISK MANAGEMENT DEPARTMENT

SUBJECT: SMOKING POLICY

PPM# CW-P-036

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<u>ISSUE DATE</u>	<u>EFFECTIVE DATE</u>
April 29, 2025	April 29, 2025

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PURPOSE:

The purpose of this policy is to protect the health of employees and visitors in County facilities from the hazards of environmental tobacco smoke.

UPDATES:

Future updates to this PPM are the responsibility of the Director of Risk Management.

AUTHORITY:

- Florida Statutes, Chapter 386.201 - .2125, Florida Clean Indoor Air Act, as may be amended

DEFINITIONS:

Refer to **Attachment A** for a listing of definitions related to this PPM.

POLICY:

The Florida Clean Indoor Air Act states that "it is the intent of the Legislature to discourage the designation of any area within a government building as a smoking area." Therefore, effective February 1, 1993, smoking is prohibited in County owned or leased facilities, in order to provide a healthy work environment for all employees and the visiting public.

This policy is concerned with prohibiting smoking by employees and the public within buildings, and county owned vehicles and identifying responsibility and guidelines for designating spaces outside of buildings where smoking is permitted or prohibited. Use of e-cigarettes is not permitted within buildings or County owned vehicles as their legal and safety status has not been determined.

PROCEDURES:

Administration will communicate this policy to all appropriate elected officials and all County Departments. Risk Management will assist departments in implementing this policy and will offer smoking cessation assistance.

Implementation of this policy is the responsibility of each level of supervision with ultimate responsibility being that of the persons in charge of each work area and each facility. Building Managers (e.g., Palm Beach County Facilities Department [FDO] or equivalent) will determine the location of designated smoking areas for multi-tenant County facilities and provide appropriate signage.

When determining locations for designated smoking areas consideration shall be given to avoid placing locations which are:

- Near fresh air intakes into buildings
- Along single access routes (entrances / exits of buildings)
- Close to drive aisles and driveways
- Interfering with or compromise building specific operations
- Within 100 feet of a building

Designated smoking areas shall be:

- Americans with Disabilities Act (ADA) accessible
- Equipped with trash receptacles suitable for cigarettes as well as other trash / garbage typically disposed of in smoking areas; and
- Equipped with proper signage

At any facility with formally designated and properly signed smoking areas, the remainder of outdoor areas on the County property shall be considered to be non-smoking.

Policy interpretations and disputes regarding the location of designated smoking areas will be resolved by FDO, with assistance from Risk Management.


VERDENIA C. BAKER
COUNTY ADMINISTRATOR

Supersession History:

1. PPM # CW-P-036, effective 07/01/1989
2. PPM # CW-P-036, effective 02/01/1993
3. PPM # CW-P-036, effective 02/01/2010
4. PPM # CW-P-036, effective 02/09/2015

ATTACHMENT A

DEFINITIONS

Designated Smoking Areas: Locations where smoking is permitted. Smoking areas shall be clearly identified with appropriate signs.

Electronic Cigarettes (e-cigarettes): Nicotine delivery systems which volatilize chemicals to provide nicotine and other chemicals to the user.

Enclosed indoor work space: anyplace where one or more persons engage in work, and which place is predominantly or totally bounded on all sides and above by physical barriers.

Smoking: inhaling, exhaling, burning, or carrying, or possessing any lighted tobacco product, including any lighted cigarette, cigar, pipe tobacco, and any other lighted tobacco product. However, “unfiltered cigars” will be exempt from this definition of smoking.

Tobacco use: personal use of any tobacco product, whether intended to be lighted or not, which shall include smoking, as defined above; the use of an electronic cigarette or any other device intended to simulate smoking; and the use of smokeless tobacco, including snuff, chewing tobacco, smokeless pouches, any other form of loose-leaf, smokeless tobacco and the use of unlit cigarettes, cigars, and pipe tobacco.

Vape or Vaping: to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance.