

Hennepin County Administrative Manual

Tobacco Free Property

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Policy

Pursuant to Resolution 11-0107 and the Minnesota Clean Indoor Air Act**,** Hennepin County prohibits all tobacco use on County-owned and single tenant leased property (“Hennepin County Property”) described herein, including grounds, structures, parking ramps, parking lots, and equipment. The policy (the Hennepin County Tobacco Free Property Policy) supersedes the no-smoking policies adopted by the County Board of Commissioners under Resolutions 00-7-433R3 and 10-0397, and includes an amendment specifically prohibiting the use of all electronic delivery devices.

Purpose and Intent

Hennepin County is committed to its mission to enhance the health of its residents and employees by allowing them to live and work in a safe and clean environment. Smoking, tobacco use, and exposure to second-hand smoke have been found to pose definite health hazards including an increased risk of heart disease, peripheral vascular disease, cancers, and respiratory diseases.

The safety and health impacts of electronic delivery devices (e-cigarettes) have not been fully studied, but the U.S. Food and Drug Administration has found that many such products include known carcinogens and other toxic chemicals.

According to the World Health Organization, most electronic delivery devices contain large concentrations of propylene glycol, which is a known irritant when inhaled. Nicotine, either inhaled, ingested or in direct contact with the skin, can be particularly hazardous to the health and safety of certain segments of the population, such as children, young people, pregnant women, nursing mothers, people with heart conditions and the elderly.

In recognition of these and other concerns, as of July 1, 2014, Minnesota Statutes section 144.414 subdivision 1, prohibits the use of electronic cigarettes in any building owned or operated by the state, home rule charter or statutory city, county, township, school district, or other political subdivision.

Policy Provisions

1. Tobacco use as defined in this Policy is prohibited in the following locations:
2. in and on all Hennepin County Property or within a 15 yard radius (45-feet) of street level entrances, which ever distance is further. Hennepin County Property includes, but is not limited to:
   1. the grounds of County-owned property;
   2. the grounds of property that is leased in its entirety by Hennepin County; and
   3. on or in parking garages, lots, and ramps owned or leased by the County;
3. within personal vehicles that are on Hennepin County Property;
4. in Hennepin County-owned or leased vehicles and equipment;
5. the entire area on Sixth Street underneath the Government Center.
6. There are no designated tobacco use areas on Hennepin County Property.
7. The Tobacco Free Property Policy applies to all persons, including Hennepin County employees, contractors, vendors, and members of the general public.
8. Employees are prohibited from using tobacco during the performance of job duties when they are located on Hennepin County Property; when they are in a Hennepin County vehicle; or when a County client is present, regardless of the location.
9. Exception: Tobacco use that is part of a traditional spiritual or cultural ceremony, and for which prior approval has been obtained from the County, is not prohibited by this Policy.

Enforcement Procedure

1. All County employees, volunteers, union representatives, clients, customers, and vendors will refrain from tobacco use as defined in this Policy on Hennepin County Property.
2. Enforcement of this Policy is a shared responsibility of all staff. It is expected that staff will assist in communicating the Policy to those who are not in compliance. Continued non-compliance should be reported to a manager or to security personnel.
3. County managers and supervisors are responsible for investigating any reported violation of this Policy and taking prompt and appropriate corrective action. Members of the general public who violate this Policy will be informed that tobacco use is prohibited, and if they do not cease their tobacco use immediately, will be asked to leave Hennepin County Property.
4. Security personnel are responsible for reporting employee violations to the employee’s supervisor and for directing any members of the general public who violate the Policy off of Hennepin County Property.
5. Any employee, volunteer, or vendor found to have violated this Policy may be subject to disciplinary action.
6. Signage regarding this policy will be installed to alert staff, visitors, the general public, and others to Hennepin County’s Tobacco Free Property Policy. The Hennepin County website will also state the Policy. Ashtrays and similar tobacco-related devices will be removed from Hennepin County Property. New employees will be notified of this Policy upon hire during new employee orientation. The County has and will continue to offer tobacco cessation resources for employees and the public. Brochures stating the Policy and listing cessation resources will be available at all information desks and on the County’s website for the general public. Access to additional cessation resources will be available free of charge to County employees.
7. Repeat violators of this Policy may be charged with a petty misdemeanor.

Definitions

1. **Electronic Delivery Device:** "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.
2. **Hennepin County Property**: Hennepin County Property: “Hennepin County Property” means any real property which Hennepin County holds in fee title or real property where Hennepin County is the single lessee of the property. “Hennepin County Property” as used in this Policy does not include County roads and County right of ways, or property leased to the Hennepin Healthcare System, Inc. (HHS) or Hennepin County Medical Center (HCMC).

1. **Tobacco Use**: “Tobacco Use” means the use of any tobacco product as defined below whether the tobacco is chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or otherwise ingested. Tobacco use includes inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product as well as carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation. “Tobacco use” also includes the use of, or the inhaling or exhaling of vapor from, any electronic delivery device, or any nicotine or lobelia delivery product.
2. **Tobacco or Tobacco Products**: “Tobacco” or "Tobacco products" means cigarettes and any substance or item containing, made, or derived from tobacco or nicotinethat is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to, cigarettes; cigars; electronic delivery devices; pipe tobacco; snuff, fine cut or other chewing tobacco; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff flowers; cavendish; shorts; plug and twist tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. “Tobacco product” excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Contact

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