

Commercial Tobacco-Free and Smoke-Free Property

Print copies are for reference only. The most recent version is in the county's online policy hub.

Policy owner: Janet Mills, Deputy Director, Facility Services

Policy contact: Janet Mills, Deputy Director, Facility Services

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Purpose

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, Commercial Tobacco Use, and exposure to secondhand smoke have been found to pose definite health hazards including an increased risk of heart disease, peripheral vascular disease, cancers, and respiratory diseases.

Scope

This policy applies to all persons, including Hennepin County employees, contractors, vendors, and members of the general public.

Policy statement

Pursuant to Resolution 11-0107, the Minnesota Clean Indoor Air Act, and Minnesota Statutes Chapter 342, Hennepin County prohibits all Smoking and Commercial Tobacco Use on County-owned and single tenant leased property ("Hennepin County Property") described herein, including grounds, structures, parking ramps, parking lots, and equipment. This policy (the Hennepin County Commercial Tobacco-Free and Smoke-Free Property Policy) supersedes the no-smoking policies adopted by the County Board of Commissioners under Resolutions 00-7-433R3 and 10-0397.

Policy Provisions

- A. Smoking and Commercial Tobacco Use as defined in this policy are prohibited in the following locations:

1. in and on all Hennepin County Property. Hennepin County Property includes, but is not limited to:
 - a. the interiors of all County-owned buildings and buildings that are leased in their entirety to Hennepin County, including vestibules and skyways;
 - b. the exterior areas of all County-owned buildings and buildings that are leased in their entirety to Hennepin County, including the Government Center plazas, steps, mezzanine on the south side the Government Center at skyway level, and entire area on Sixth Street underneath the Government Center;
 - c. the grounds of County-owned property;
 - d. the grounds of property that is leased in its entirety to Hennepin County;
 - e. sidewalks surrounding Hennepin County Property;
 - f. roads within a Hennepin County Property; and
 - g. on or in parking garages, lots, and ramps owned or leased by the County.
 - h. "Hennepin County Property" as used in this policy does not include County roads (unless within a property boundary), County vehicle right of ways, or property leased to Hennepin Healthcare Systems, Inc. (HHS, Inc.) or the Hennepin County Medical Center (HCMC), because HHS, Inc./HCMC have their own smoke-free policies.
 2. within personal vehicles that are on Hennepin County Property; and
 3. in Hennepin County-owned or leased vehicles and equipment.
- B. There are no designated areas on Hennepin County Property where Smoking or Commercial Tobacco Use are allowed.
- C. Employees are prohibited from Smoking or using Commercial Tobacco Products 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.
- D. Exception: Nothing in this policy prevents the use of traditional or sacred tobacco by American Indian, Indigenous, or Alaska Native persons for spiritual and medicinal purposes if prior approval has been obtained from the County Facility Services Director.

Staff

Staff are responsible for following this policy.

Supervisors/Managers

Supervisors/managers are responsible for ensuring employees and volunteers are aware of this policy.

Departments

Not applicable.

Area/Department with specific policy responsibilities

Not applicable.

Responsibilities for Area/Department that owns the policy

Facility Services is responsible for administering this policy.

Definitions

- A. Commercial Tobacco Products:** "Commercial Tobacco Products" means cigarettes and any substance or item containing, made, or derived from tobacco or nicotine, whether natural or synthetic, that 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 Commercial 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. "Commercial Tobacco product" does not include any nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.
- B. Commercial Tobacco Use:** "Commercial Tobacco Use" means the use of any Commercial Tobacco Product, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or otherwise ingested. Commercial 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. "Commercial Tobacco Use" also includes the use of, or the inhaling or exhaling of

vapor or aerosol from, any Electronic Delivery Device, or any nicotine or lobelia delivery product.

- C. Electronic Delivery Device:** "Electronic Delivery Device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or 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 nicotine cessation product that has been authorized by the U.S. Food and Drug Administration to be marketed and for sale as "drugs," "devices," or "combination products," as defined in the Federal Food, Drug, and Cosmetic Act.
- D. Smoking:** "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, cannabis, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated Electronic Delivery Device.

Authorities and related information

- [Minnesota Clean Indoor Air Act, Minn. Stat. §§ 144.411-.417](#)
- [Minnesota Statutes Chapter 342](#)
- Board resolution 11-0107

Procedures

- [Commercial Tobacco-Free and Smoke-Free Property](#)

