

CITY OF BRECKSVILLE – SMOKE FREE OHIO

Effective December 7, 2006, the law proposed by initiative petition involving “Smoke Free Ohio” became the law within the State of Ohio (Chapter 3794 of the Ohio Revised Code). This law was not enforceable until such time as the State of Ohio's Director of Health promulgated regulations regarding the implementation of this new law. On March 21, 2007, the Director issued these regulations and assuming no additional changes are made to these rules, this law will become fully enforceable as early as April 21, 2007. City employees should familiarize themselves with this state law and may do so by accessing the Smoke Free Ohio website at www.smokefreeohio.org.

Based upon the provisions of this law and the regulations issued by the Director of Health, it is necessary to amend our citywide smoking policy as follows:

1. Signage prescribed by state law will be posted at the entranceways to all city buildings.
2. Smoke debris receptacles will be removed from all city buildings and entranceways and placed in designated smoking areas on city property.

Designated smoking areas are as follows*:

City Hall – Smokers must be on the east side of the main drive of the east main entrance parking lot area. No person(s) are to congregate underneath the alcove outside the doorways of the main east entrance. The same applies to the main police entrance of the building. Anyone wishing to smoke outside the police south entrance must walk across the police driveway and stand on the far south side off of the driveway. Anyone wishing to smoke outside of the north entrance to City Hall on the lower level by the Building Department shall smoke in the area of the gazebo if weather permits, if not, as far north on the walkway as the Building Department parking lot.

Old Town Hall – Smokers shall smoke on the walk area east of the Old Town Hall east parking lot between the Methodist Church and the Old Town Hall. In the alternative, smokers may cross Stadium Drive south and stand at the far northwest corner of Public Square.

Blossom Hill Buildings – All smoking must be confined to parking lot areas and no one may smoke outside the immediate entrances of the buildings.

Service Department – Smokers must be a reasonable distance away from all buildings. This includes the Service Department property located on Stadium Drive, Service Department buildings at Blossom Hill and the main Service Department complex.

Public Square – During special events, smokers are asked to be courteous to others and smoke in the designated smoking areas. Again, reasonableness will be considered in the resolution of any complaints. There will be no smoking inside any tent or similar structure erected on Public Square or on Public Square for special events per the Fire Chief.

Municipal Post Office – Smoking shall be confined to the parking area.

Community Center – Parking lot area. Smoking will not be permitted on the sidewalks that immediately touch or surround the Community Center building. This includes the outside swimming pool area.

Human Services Center – Parking lot area.

City Vehicles – All vehicles are smoke free and tobacco free. The use of smokeless and smoking tobacco is prohibited in all city vehicles.

* The state regulations provide that the City shall take reasonable steps to ensure that tobacco smoke does not enter any area in which smoking is prohibited under Chapter 3794 of the Revised Code through entrances, windows, ventilation systems, or other means. Thus it is incumbent on the employee to make certain that their smoking (due to wind direction, etc.) in no way violates this requirement despite the designation of these smoking areas.

GENERAL STATEMENT REGARDING ENFORCEMENT

All employees are required to comply with these city policies as they now relate to the Smoke Free Ohio law. Violators are subject to sanctions as provided by Ohio law and may be subject to disciplinary action taken by the City up to and including termination.

All complaints will be thoroughly investigated and all supervisory staff is directed to be aware of this smoking policy and the Smoke Free Ohio law. Supervisory staff should discuss this law and resultant policy with all subordinates and be diligent in its enforcement. We seek your consideration and cooperation so that we may comply with the requirements of the Smoke Free Ohio law and its regulations.