



Policy 8101 Smoke-Free Environment

Version: 4.0

Effective Date: 5/18/2023

Board or Administrative: Administrative

Policy Statement

It is the policy of Dakota County to provide a smoke-free environment for employees, visitors, and clients in all County facilities, parks, and vehicles, consistent with the Minnesota Clean Indoor Air Act, concern for public health and safety, and the inherent managerial right to implement reasonable work rules.

Definitions

- Appointing authority: any County employee, official, board, or commission that has been empowered through statute or by the County Board to hire County employees.
- Cigarette: any roll for smoking, made wholly or in part of tobacco, irrespective of size and shape and whether or not such tobacco is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except whole tobacco leaf.
- Campsite: a place used for camping in a tent or other portable shelter. This does not include the sites of permanent camper cabins.
- Electronic delivery device: any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation or aerosol or vapor from the product. Electronic delivery device includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under other product name or description (Minn. Stat. 609.685, subd.
- "Minnesota Clean Indoor Air Act: Minn. Stat. §§ 144.411 through 144.417, statutes enacted with the purpose of protecting employees and the general public from the hazards of secondhand smoke by eliminating smoking in public places, places of employment, public transportation, and at public meetings.
- Parking lot: an area divided into individual spaces for parking motor vehicles. A parking lot does not include loading docks, sidewalks, or any other area not primarily used for parking.

- Smoking: Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated products containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device (vaping), as defined in section 609.685 of the MN Clean Indoor Air Act (Minn. Stat. 144.413, subd. 4)
- Tobacco products: any products containing, made, or derived from tobacco 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 tobacco product, including, but not limited to, cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco. Tobacco products 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.

Source

The Minnesota Clean Indoor Air Act (Minn. Stat. §§ 144.111 – 144.417) prohibits smoking in public buildings or in places of employment and prohibits the use of electronic cigarettes in public buildings.

County Board Resolution 89-771 prohibits tobacco use in all County buildings and vehicles. Resolutions 07-218 and 07-490 extend this prohibition to all County property with the exceptions detailed below.

General

The use of cigarettes, electronic cigarettes, and other tobacco and smoking products is prohibited on all County-owned property (including County parks) and in all County-owned vehicles with the following exceptions:

- County-owned parking lots and roadways
- County roads and road right-of-ways
- Individual rented campsites in County-owned or operated grounds
- As part of a traditional Native American spiritual and cultural ceremony.

This policy is encouraged by the County through signage, awareness, and education.

Each appointing authority is charged with the responsibility of ensuring that employees, visitors, and clients adhere to all aspects of the County policy. Violations of this policy are subject to progressive discipline, as well as sanctions imposed under the Minnesota Clean Indoor Air Act.

Procedures

Procedures will be maintained by The Office of the County Manager.

History

Version	Revision Date
1.0	10/10/1989
2.0	10/23/2007
3.0	12/02/2021
4.0	5/18/2023

Related Policies

- None

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Approval

/s/ Matt Smith; May 18, 2023