



**PERSONNEL POLICY ADDITION
WORKPLACE SMOKING POLICY
ARTICLE V. SECTION 13**

DEFINITIONS

The following terms shall have the meanings indicated:

Town Building – A building owned, leased as lessor, or the area leased as lessee and occupied by a local government.

Town Vehicle – A passenger-carrying vehicle owned, leased, or otherwise controlled by the Town and assigned permanently or temporarily by the Town to employees, agencies, institutions, or facilities for official city business.

Employee – A person who is employed by the Town, Contracts with the Town, or Volunteers his or her services for the Town.

Grounds – An unenclosed area owned, leased, or occupied by local government.

Smoking – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.

SMOKING PROHIBITED IN MUNICIPAL BUILDINGS

Smoking shall be prohibited in Town buildings or facilities now or hereafter owned, leased, operated, occupied, managed, or controlled by the Town. This applies to all employees, volunteers, clients, contractors, and visitors.

SMOKING PROHIBITED IN MUNICIPAL VEHICLES

Smoking shall be prohibited in Town vehicles now or hereafter owned or leased by the Town. This shall apply to all employees and passengers in Town vehicles.

IMPLEMENTATION

“No Smoking” signs shall be clearly posted in conspicuous areas of all Town buildings and vehicles. The signs shall state that “smoking is prohibited” and may include the international “No Smoking” symbol, which consists of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it. If the vehicle is used for undercover law enforcement operations, a sign is not required to be placed in the vehicle. Smoking shall be outside and away from all public entrances to maintain positive perception and consideration of non-smokers. All smoking materials shall be disposed of in the appropriate receptacles.

ENFORCEMENT

Any violation of the provisions of this section shall be subject to disciplinary action up to and including dismissal.

CONFLICT OF LAWS

If any portion of this section or the enforcement thereof is found to be pre-empted by state or federal law, such pre-emption shall not operate to invalidate the rest of the section and the same shall remain in full force and effect. All policies or parts of policies in conflict with this section are hereby repealed.