

	Policy: Workplace Smoking Policy	Effective Date: January, 2003
		Revision Effective Date:
	Policy Number: HR-37	Page 1 of 2
	_____ City Manager	_____ Human Resources Responsible Party

POLICY

The City of Monroe is dedicated to providing a healthy, comfortable, productive, and equitable work environment considering the diverse make up and vast array of municipal services/facilities.

In accordance with Title XIII, Chapter 130.10 of the City of Monroe Code of Ordinances, smoking is prohibited in municipal buildings and regulated in City vehicles. Said Chapter is attached hereto as "Exhibit A."

"NO SMOKING" signs are posted at all building entrances and throughout the buildings.

Smoking shall be outside and away from all public entrances to maintain positive perception and consideration of non-smokers.

All breaks shall be at the discretion of the employee's immediate supervisor. Accountability for the management of breaks shall be the responsibility of the employee, supervisor, and respective department director.

Employees who would like to take the opportunity to quit smoking are invited to participate in smoking cessation program currently offered by the City through the Employee Assistance Program (EAP).

The success of this policy will depend upon the thoughtfulness, consideration and cooperation of all employees, who share in the responsibility for adhering to and enforcing this policy. Any problems should be brought to the attention of the appropriate supervisor and handled through the normal chain of command. Employees who violate this policy will be subject to the same disciplinary actions that accompany infractions of other City policies as well as being subject to the penalty provided in said Code of Ordinances.

It shall be the responsibility of the Human Resources Department to distribute the Workplace Smoking Policy, including any updates/amendments to all City of Monroe employees.

**AN ORDINANCE REGULATING SMOKING
IN MUNICIPAL BUILDINGS AND VEHICLES**

WHEREAS, municipalities are granted broad police power authority to protect the health, safety and welfare of municipal employees and the general public by N.C.G.S. 160A-174; and

WHEREAS, it is the public interest to improve indoor air quality, reduce fire hazards, and minimize any health risk associated with involuntary exposure to environmental tobacco smoke;

Now, therefore, BE IT ORDAINED by the City Council of Monroe, North Carolina that: Chapter 18 of the Monroe City Code is amended to add Section 18-10 as follows:

Section 18-10 Regulation of Smoking

Section 18-10.1 Definitions.

(a) "Smoking" shall mean the inhaling, exhaling, burning or carrying of lighted pipe, cigar, cigarettes or other combustible tobacco product.

Section 18-10.2 Smoking Prohibited in Municipal Buildings. It shall be unlawful for any person to smoke in any building or facility or portion of a building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by the City of Monroe, provided however City employees may smoke in those areas designated in a particular building or facility by the City Manager as an Employee Smoking Area.

Section 18-10.3 Smoking Regulated in Municipal Vehicles. It shall be unlawful for any person to smoke in any vehicle now or hereafter owned or leased by the city when said vehicle is occupied by a person, either as driver or passenger, who is a nonsmoker.

Section 18-10.4 Penalty. Violation of this ordinance shall constitute a misdemeanor punishable in accordance with N.C.G.S. 14-4.

Section 18-10.5 Conflict of Laws. If any portion of this ordinance or the enforcement thereof is found to be preempted by state or federal law, such preemption shall not operate to invalidate the rest of the ordinance and the same shall remain in full force and effect. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 18-10.6 Effective Date. This ordinance shall be effective on and after October 7, 1993.

Adopted this the 5th day of October, 1993.