

Tobacco-Free Resolution Template

[MUNICIPALITY NAME]- a resolution to promote the health and safety of **[MUNICIPALITY NAME]** residents by establishing all **[TOWN]** recreational area properties as a tobacco-free areas.

Whereas the town of **[MUNICIPALITY NAME]**, Maine, has set a goal to be a safe and healthy place to live and work; and

Whereas tobacco use is the single most preventable cause of death and disease in the United States, as well as in the State of Maine; and

Whereas secondhand smoke contains thousands of harmful chemicals and many cancer causing agents, and is a serious health risk to humans, especially infants, children, and pregnant women; and increases a nonsmoker's risk of asthma, heart disease, and lung cancer; and

Whereas chewing tobacco contains many harmful chemicals and cancer-causing agents, and its use is associated with cancers of the mouth, gums, tongue, and throat; and

Whereas tobacco use in and around the **[MUNICIPALITY NAME]** recreational area properties sends contradictory messages to young people who are participating in activities beneficial to their health, while at the same time exposed to the use of tobacco products; and

Whereas the purpose of the **[MUNICIPALITY NAME]** recreational area properties is to provide opportunities for quality recreation and leisure experiences that enhance the quality of life for citizens of **[MUNICIPALITY NAME]**, including providing a safe environment for these experiences; and

Whereas tobacco use and exposure to secondhand smoke are contrary to enhancing the quality of life and providing safe environments; and

Whereas staff and coaches are important role models for the youth that participate in community recreation activities, and whereas what coaches promote is respected and imitated by youth; and

Whereas a policy needs to have procedures to follow when a violation of the policy occurs; and

Whereas the intent of this resolution is to create a tobacco-free environment for youth and not alienate adults who use tobacco products;

Now, therefore, be it resolved that the town of **[MUNICIPALITY NAME]** does hereby declare that its recreational area properties as tobacco-free 24 hours a day, 365 days a year, and restricts the use of any tobacco product, including but not limited to, cigarettes, cigars, electronic smoking devices, and chewing tobacco, on, in, or at any athletic facility, playground, or assembly area operated by **[MUNICIPALITY NAME]**.

Be it further resolved that:

- Tobacco-free signage will be posted in appropriate areas, and notices will be published in local newspapers to inform the public of this tobacco-free resolution,
- Procedures that reinforce the norm that this property is a tobacco-free facility will be developed, and violations will be addressed in a positive manner

Tobacco-Free Policy Template

[MUNICIPALITY NAME] is dedicated to providing everyone with a safe and healthy environment at all of the [MUNICIPALITY NAME] recreational area properties, effective [DATE].

[MUNICIPALITY NAME] recognizes that smoking and the use of tobacco products at our recreational area properties is detrimental to the health and safety of everyone. [MUNICIPALITY NAME] supports an environment where nobody is exposed to the harmful effects of secondhand smoke and everyone is supported in efforts to live tobacco-free. Therefore, [MUNICIPALITY NAME] has adopted a 100% tobacco-free recreational area property policy, that exceeds state law (22 M.R.S.A. § 1580-A).

This policy prohibits all smoking and the use of all tobacco 24 hours a day, 365 days a year:

- In all [MUNICIPALITY NAME] owned, leased and affiliated buildings.
- On all [MUNICIPALITY NAME] owned or leased properties [can list if applicable]
- At all [MUNICIPALITY NAME] permitted or sanctioned events– both indoors and outdoors when on [MUNICIPALITY NAME] property.
- In all [MUNICIPALITY NAME] owned, leased or rented vehicles.

This smoke and tobacco-free policy applies to all people utilizing [MUNICIPALITY NAME]space, including organizers of, and attendees at, public events, including but not limited to, athletic events, concerts, productions, conferences, meetings, lectures, social events and/or cultural events using [MUNICIPALITY NAME]owned, leased and affiliated property. Everyone is required to abide by [MUNICIPALITY NAME]'s smoke and tobacco-free policy.

DEFINITIONS

- A. "Smoking" means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy. Non-smoked marijuana products including, but not limited to, edibles and dabs are also included in this policy.
- B. "Tobacco" is defined as all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

PROCEDURES

This policy will be communicated through tobacco-free signs posted at all property entrances and throughout the facility, through employee education, including being written into training manuals and new employee orientation. Everyone is required to comply with [MUNICIPALITY NAME] tobacco-free policy. Enforcement procedures are as follows [LIST AS APPLICABLE].

Tobacco-Free Ordinance Template

WHEREAS **[MUNICIPALITY NAME]** has set as a goal to be a safe and healthy place to live and work; and
WHEREAS tobacco use is the foremost preventable cause of premature death in the United States, causing over 400,000 deaths in the United States each year; and

WHEREAS the Surgeon General of the United States of America has stated there no safe level of exposure to secondhand smoke; and

WHEREAS tobacco-free policies support tobacco-free lifestyles and encourage tobacco users to quit, the following article is to be adopted.

Section [xxxx]: Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section:

- *Electronic smoking device* means any electronic product, not prescribed by a doctor that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic smoking device includes any component, part, or accessory of such a product, whether or not sold separately.
- *Park, Recreational area or Sporting venue* means any outdoor area accommodating or having facilities for rest or recreation (including passive activities) or playground designed at least in part to be used by children that has play or sports equipment installed or that has been designed or landscaped for play, sports, or leisure activities on grounds owned, occupied or operated by the municipality or an agency thereof, or any similar facility located on public school grounds.
- *Public property and places* means any vehicle, building or other location or site within **[MUNICIPALITY NAME]** owned, leased, occupied, or operated by **[MUNICIPALITY NAME]**.
- *Secondhand smoke* means smoke emitted from a lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form, when the smoker is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the smoker. Secondhand smoke also includes aerosol or vapor from the use of an electronic smoking device emitted, in any manner or in any form, when the smoker is not inhaling, at the mouthpiece during puff drawing, and when the smoker is exhaling.
- *Smoking* means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy. Non-smoked marijuana products including, but not limited to, edibles and dabs are also included in this policy.
- *Tobacco* is defined as all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco

products, including but not limited to, dip, spit/spit-less, chew, snuff, snus and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

- *Vaping* means the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

Section [xxxx]: Regulations

- (a) Pursuant to section [xxxx] of the [MUNICIPALITY NAME] Code, the [applicable personnel] may promulgate rules and regulations in accordance with the provisions contained in this article and such other rules and regulations as may be necessary for the purpose of implementing and carrying out the provisions of this article.
- (b) Smoking, vaping, and the use of all tobacco and electronic smoking devices is prohibited in all areas including in all parks, recreational areas and sporting venue, and public property and places 24 hours a day 365 days per year.
- (c) Additionally, the discarding of cigarettes and cigar butts onto the ground is unsightly, unclean and particularly hazardous to young children and wildlife. Disposal of such tobacco litter is also prohibited.

Section [xxxx]: Communication & Enforcement

- (a) Notice of prohibition of smoking and vaping. Tobacco-Free Area signs or the international "No smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, shall be clearly and conspicuously posted in key areas of every location where smoking or vaping is prohibited by this article.
- (b) No discrimination or retaliation. An individual, person, entity, or business establishment subject to the smoking or vaping prohibitions of this article shall not discriminate or retaliate in any manner against a person for making a complaint regarding a violation of this article or for furnishing information concerning a violation to an enforcement authority.
- (c) Enforcement. The [DESIGNEE] shall have the power to enforce the provisions of this article.
- (d) Violations and penalties. It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of premises in which smoking or vaping is prohibited pursuant to this article. It shall be unlawful for any person to smoke, vape, or use tobacco in any area outlined in this article.
 - a. Every person who violates this article shall be liable for a fine of up to [\$xxxx] for each violation. Each day on which a violation of this article occurs shall be considered a separate and distinct violation.