

## ADMINISTRATIVE INSTRUCTION NO. 4-9 (Revised)

**SUBJECT: Prohibiting Smoking and the Use of Smokeless Tobacco Products on City Property and Vehicles**

The Effective Date:

This Administrative Instruction is effective immediately.

This Administrative Instruction Governs Smoking and the Use of Smokeless Tobacco Products on City Property and in and Around City Vehicles.

### **DEFINITIONS:**

"*City Contractor*" means (1) anyone working under contract with the City at times they perform the contract on City property or (2) anyone who is an employee of a company providing labor to the City at the times they perform services or labor on City property.

"*City Employee*" means all people employed in any manner by the City and receive any compensation of any type from the City for their services.

"*City Property*" means all real property owned or leased by the City or real property occupied by City employees in their normal duties. City property includes but is not limited to all buildings of any type, parking structures and lots and all other structures located on City property.

"*City Vehicle*" means any vehicle owned, leased or borrowed for the use by the City. City vehicle also means any vehicle under the control of any City employee. City vehicle does not mean a vehicle owned and operated by a City contractor unless such contractor provides a vehicle to the City for use by City employees.

"*City Volunteer*" means all volunteers for City programs who are under the direction of a person employed by the City while providing their volunteer services on or at City Property.

"*Smokeless Tobacco Products*" means loose leaf, pouch, pulverized or shredded tobacco products that are chewed, snuffed, or placed in the mouth instead of being smoked. Nicotine replacement therapies approved by the Food and Drug Administration, including, but not limited to nicotine gum, lozenge, patch, and nasal spray, are not smokeless tobacco products.

"*Smoking*" or "*smoke*" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookah, whether natural or synthetic, in any manner or in any form. "*Smoking*" or "*smoke*" 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 Administrative Instruction.

"Vehicle" means any device in, upon, or by which any person or property is or may be transported or drawn propelled by a power other than human power, and includes but is not limited to automobiles, trucks, trailers, motorcycles, tractors, buggies, and wagons. The term "vehicle" includes all devices regardless of the type or power, including but not limited to electric power and any type of gas or gasoline power or any combination thereof and any connected trailer or semi-trailer.

**PROHIBITION:**

No City employee, City volunteer or City contractor shall smoke or use smokeless tobacco products on City Property or in a City Vehicle.

No City employee, City volunteer or City contractor shall smoke or use smokeless tobacco products in or within 30 feet of a City vehicle when such vehicle is not located on City property.

No person, including but not limited to City employees, City volunteers or City contractors shall smoke or use smokeless tobacco products within 30 feet of the entrance to any structure located on City property. This prohibition applies to all members of the public.



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Robert J. Perry, Chief Administrative Officer



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Date