

# Levy Court Prohibits Smoking near Building Entrances

Levy Court approved an amendment to the Smoking Policy (P-5-2) on March 27, 2018 which specifies that smoking at County owned facilities can only occur at the rear of the building away from public and employee entrances and at least 20 feet away from any entryway.

Smoking has been prohibited in County buildings and vehicles since 1999, but the new amendment specifies where smoking is permitted in areas outside County-owned and -controlled buildings. The specific areas shall be located at the rear of a building outside of public view, away from public or employee entrances, and at least 20-feet from any exterior entryway (except that smoking shall be permitted on the second floor of the Administrative Complex rooftop mezzanine).

Employees who smoke should immediately begin to follow the new rules. Strict enforcement will begin after a brief transition period to allow for educational efforts and modest signage installation.

Therefore, employees who smoke may do so only in the following locations:

**Administrative Complex** – Rear of structure near the mailroom entrance

**Administrative Complex** – Second floor outside rooftop mezzanine (patio)

**Emergency Services Building** – Rear patio

**Wheatley's Pond Administrative Offices** (*northern Paramedic station*) – Rear patio

**Regional Resource Recovery Facility** (*wastewater treatment plant*) – Rear of Administrative Building (Building A)

**Various pumping stations** – at least 20-feet from any exterior entryway

**Kent County Public Library** – Rear of structure

**Kent County parks maintenance buildings** – Rear of structures outside of public view

**Kent County Recreation Center** – Smoking PROHIBITED campus-wide

If you have questions about the policy revision, please contact the Personnel Office or your Department Head.

(posted 03/28/18)

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## **§ 5-2 Smoking.**

*[Adopted 2-9-1999 (P-76); Amended 3-27-2018]*

This Policy prohibits smoking in all County-owned or -controlled buildings and vehicles, regulates smoking breaks by County employees, and establishes the provisions of the Delaware Clean Indoor Air Act regulations.

**A.** Smoking by employees or the public is prohibited in all public areas and offices within County-owned or -controlled buildings and in County-owned vehicles.

**B.** Smoking shall only be permitted in specific areas outside County-owned and -controlled buildings. The specific areas shall be located at the rear of a building outside of public view, away from public or employee entrances, and at least 20-feet from any exterior entryway (except that smoking shall be permitted on the second floor of the Administrative Complex rooftop mezzanine). The County will not incur any expense to make structural or physical modifications to accommodate individual smoking preferences.

**C.** Smoking by employees shall be limited to permitted breaks and rest periods of short duration or during the scheduled meal period. Lengthy or an excessive number of smoking breaks is prohibited.

**D.** Enforcement of this Policy shall be the responsibility of each department head. Complaints, disputes or objections arising from this Policy shall be directed to the affected department head or the Personnel Office.

**E.** Employees violating this Policy shall be subject to disciplinary action up to and including termination, but employees exercising their rights under the Delaware Clean Indoor Air Act shall not be subject to retaliation or any adverse personnel action.

**F.** This Policy shall be displayed in all normal employee posting areas and "no smoking" signs shall be installed where appropriate.