

RECEIVED
ERIE COUNTY
LEGISLATURE

AUG 11 12 17 PM '86

COUNTY OF ERIE

LOCAL LAW NO. 7 - ¹⁹⁸⁷~~1986~~

LOCAL LAW INTRO NO. 17 (Print #2)

A LOCAL LAW in relation to the prohibition of smoking in
Erie county offices and work places.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Legislative purpose. The Legislature finds that smoking of tobacco is harmful to the health of both the smoker and to other persons confined in a smoke filled environment. It is further found that smoking increases costs of county operations by requiring more frequent cleaning of facilities; by adding to sick leave costs related to smoking-related ailments; and by increasing health insurance costs arising from smoking-related diseases; and by the loss of income and productivity.

It is the purpose of the Legislature to limit smoking in county-owned and county-operated facilities in order to reduce county-borne costs of smoking. It is the further purpose of the Legislature to encourage county employees not to smoke in county facilities, in order to protect all employees from the health risks of smoking and from the unpleasantness of unwanted smoking.

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ERIE COUNTY
LEGISLATURE



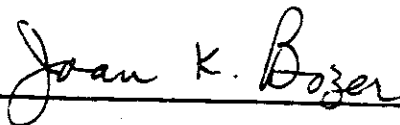
2. Smoking prohibited. Smoking of cigarettes, cigars, or pipes on all county property including vehicles is prohibited except: (a) where no more than one person is assigned to work in an enclosed office or work space, and that work space is completely segregated by walls, floor, ceiling, doors and windows from all other adjacent work spaces;

(b) In designated areas of lobbies, which do not exceed twenty percent (20%) of available space whether petitioned or not.

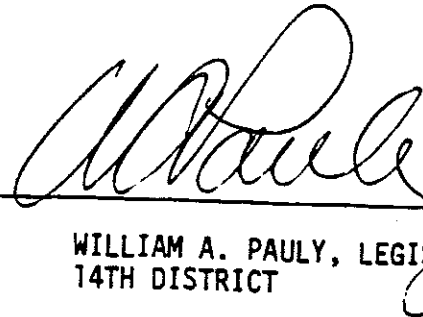
(c) In designated spaces in eating areas which do not exceed one-third of area;

(d) Where a shared work space is designated as a smoking area by the department or division head. No person may be required to work in a designated smoking work area if such person requests a non-smoking work environment. Where it is not possible to adequately segregate smokers and non-smokers, the preference of employees for a smoke-free work place shall take precedence. If a department or division head finds that the establishment of a designated smoking area disrupts or interferes with regular county operations, no such designated area need be established. Nothing in this subdivision shall limit the right of a supervisor, division head or department head to prohibit smoking in any place where smoke or open flames may pose a hazard of fire or explosion, or where smoking may interfere with proper operation of machinery, equipment, instruments or processes.

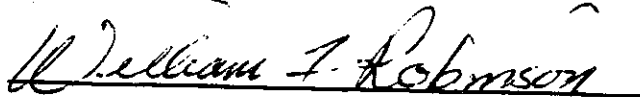
3. Smoking is allowed outdoors except during specific events.
4. Any member of the public, who, upon being requested not to smoke in any place where smoking is prohibited under this local law, continues to smoke, shall be ejected from the building or facility.
5. Sign. Each county building and facility shall be posted with signs reading "NO SMOKING". The Department of Public Works shall post signs in lobbies, hallways, elevators, cafeterias and other public areas of county buildings and facilities. Each department head shall post similar signs in all work areas and shall post areas where smoking is permitted. It shall be the responsibility of each department head to assure that such signs are maintained.
6. This local law shall take effect in 90 days.
7. Any person(s) who feel that this law is not being properly enforced may file a complaint with the Erie County Health Department for appropriate action. The Commissioner of Health shall submit a report to the County Executive and the Erie County Legislature one year from the date this law takes effect and annually thereafter as to the effectiveness of the law and resolution of complaints.



JOAN K. BOZER, LEGISLATOR
4TH DISTRICT



WILLIAM A. PAULY, LEGISLATOR
14TH DISTRICT



WILLIAM F. ROBINSON, LEGISLATOR
3RD DISTRICT