




Clayton County Police Department PROCEDURES

Subject Smoking and Tobacco Use		Procedure # C17	
Authorizing Signature 	Effective 04-28-2021	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages 4

I. PURPOSE

This policy establishes limitations on smoking and the use of tobacco products by all employees while on-duty or while in Clayton County Police Department facilities or County vehicles.

II. POLICY

It is the policy of the Clayton County Police Department to follow all County ordinances, as well as any Federal, State or Departmental rules and regulations that govern smoking and tobacco products in and around public buildings.

III. DEFINITIONS

Electronic Cigarette/E-Cigarette: Battery-powered devices that provide inhaled doses of nicotine through a vaporized solution contained in cartridges inserted into the device. No smoke from combustion is involved; the device emits water vapor when used. Use of such devices is also referred to as “vaping.”

Public place: an enclosed area to which the public is invited or in which the public is permitted, including, but not limited to, banks, bars, educational facilities, health care facilities, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a public place unless it is used as a licensed child care, adult day-care, or health care facility.

Secondhand Smoke: smoke emitted from lighted, smoldering, or burning tobacco when the person smoking is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the person smoking.

Smoke/Smoking/Vaping: 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, whether natural or synthetic, in any manner or in any form. Smoking includes the use of an electronic smoking device that 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.

Smoke-Free Area: An area free of environmental tobacco smoke and/or where smoking or vaping is not permitted.

Tobacco Product: means any of the following: (1) A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff. (2) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah. (3) Any component, part, or accessory of a tobacco product.

Vaping Devices: also known as e-cigarettes, e-vaporizers, or electronic nicotine delivery systems, are battery-operated devices that people use to inhale an aerosol, which typically contains nicotine (though not always), flavorings, and other chemicals. They can resemble traditional tobacco cigarettes, cigars, or pipes, or even everyday items like pens or USB memory sticks. Other devices, such as those with fillable tanks, may look different. Regardless of their design and appearance, these devices generally operate in a similar manner and are made of similar components. Some common nicknames for e-cigarettes are: e-cigs, e-hookahs, hookah pens, vapes, vape pens, mods (customizable, more powerful vaporizers), etc.

Vapor Product: Any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size that can be used to produce vapor from nicotine in a solution or other form. The term "vapor product" shall include any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used

with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Work Area: refers to any part of an indoor area at a place of employment where an employee carries out their responsibilities.

IV. PROCEDURES

A. Areas where Smoking is Prohibited

1. Smoking shall be prohibited in all parks and all facilities located thereon, owned, leased and/or controlled by the County and operated under the jurisdiction of the county parks and recreation department, and in all enclosed facilities, including buildings owned, leased, or operated by, the State of Georgia, its agencies and authorities, and any political subdivision of the state, municipal corporation, or local board or authority created by general, local, or special act of the general assembly or by ordinance or resolution of the governing body of a county or municipal corporation individually or jointly with other political subdivisions or municipalities of the state.
2. **Hazardous Areas**
Each department shall post and enforce "No Smoking" rule in any location under its jurisdiction which involve flammable liquids, flammable gases, or flammable vapors, or in all other locations where there is a collection of readily ignitable combustible materials.
3. **Smoking Prohibited in Designated Non-Smoking Places**
An owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a non-smoking place. Smoking shall be prohibited in any place in which a No Smoking sign, conforming to the requirements of the Official Code of Georgia Annotated is posted.

B. No Smoking Signs; Ashtrays Prohibited in Non-Smoking Areas

1. No Smoking signs or the international No Smoking symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it may be clearly and conspicuously posted by the Chief of Police, or designee, in every public place and public place of employment where smoking is prohibited.

2. All ashtrays shall be removed from any area where smoking is prohibited by the Chief of Police, or designee, unless such ashtray is permanently affixed to an existing structure.

C. Designated Smoking Areas

1. Smoking areas shall be located in a non-work area where no employee, as part of his or her work responsibilities, shall be required to enter, except such work responsibilities shall not include custodial or maintenance work carried out in the smoking area when it is unoccupied.
 - a. Designated Smoking Area at the Headquarters Building
 - (1) The rear loading dock is designated as the only smoking area at the Headquarters Building.
 - (2) Smoking is prohibited at all other locations.
 - b. Designated Smoking Area at Other Departmental Buildings
 - (1) The Deputy Chief, or designee, shall determine an area as a Designated Smoking Area.
 - (2) The area shall be located in a non-work area away from public view.
2. The smoking area shall be for the use of employees only.
3. The Chief of Police, or designee are responsible for providing adequate ashtrays/receptacles in the designated smoking areas.

D. Smoking and other use of tobacco or vapor products by employees is prohibited any time employees are representing the Department in public view or interacting with citizens.

E. Smoking and vaping is prohibited inside any County facility.

F. There is No Smoking in County vehicles in accordance with County Ordinance Section 70-103(4).

G. Any and all forms of tobacco use are prohibited in and during the operation of all departmental vehicles.

H. It shall be the responsibility of all supervisors to ensure that no person smokes or vapes inside County facilities or vehicles.

I. Employees who violate this directive, or the ordinance on which it is based, shall be subject to disciplinary action.

V. CANCELLATION

- A. This procedure rescinds General Order # 10-002, Smoking Policy, dated April 12, 2010.