



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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PROPOSED ORDINANCE AMENDMENT

SMOKING TOBACCO PRODUCTS IN COUNTY FACILITIES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 30 Environment, Article VIII. Clean Indoor Air, Division 1. Generally, Section 30-901 of the Cook County Code is hereby amended as Follows:

Sec. 30-901. Smoking Tobacco Products ~~policy for~~ in County Facilities.

(a) Definitions.

“Cook County facilities” or “County facilities” means all Cook County owned or leased facilities, including, without limitation, Cook County facilities housing administrative offices, courthouses, detention facilities, clinics, hospitals, jails, storage facilities, garages and field locations.

“Electronic cigarette” means any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. “Electronic Cigarette” includes any device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. The term “electronic cigarette” does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration

“Tobacco product” for the purposes of this Sec. 30-901, means any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from tobacco, which product is intended to enable human consumption of the tobacco or nicotine, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by other means. The term “Tobacco products” excludes any product that has been specifically approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

“Smoke” or “smoking” for the purposes of this Sec. 30-901, means either (1) the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, tobacco product or any other lighted smoking equipment; or (2) the use of any electronic cigarette.

~~(a)~~ (b) *Prohibition.*

- (1) *Smoking in County Facilities.* Smoking tobacco products by ~~inhaling, exhaling, burning, chewing, smoking, snorting, sniffing or ingesting or carrying any lighted cigarette, cigar, pipe or other lighted tobacco product in any other form ("smoking")~~ is not permitted in any areas of any County Facility, ~~including, without limitation, those County facilities housing administrative offices, courthouses, detention facilities or jails.~~ This ban on smoking tobacco products in County facilities applies to all public areas of Cook County Facilities as well as all areas used only by County employees or officials, including without limitation individual offices of the separately elected or appointed officials operating and conducting business in County facilities.
- (2) *Smoking tobacco products in Cook County owned or Cook County leased ~~County~~ vehicles.* Smoking tobacco products is prohibited in all vehicles owned or leased by the County of Cook.

~~(b)~~ (c) *Reasonable distance.* Smoking tobacco products is prohibited within 15 feet of an enclosed area of any County facility, except for County owned health facilities in which case smoking tobacco products is prohibited within 30 feet, so as to prohibit congestion at exits that could constitute fire hazard in the event of an emergency evacuation of the County facility. However, if the County operates County facilities within buildings owned by third parties and the County's use in those buildings is not exclusive; this subsection shall apply only insofar as it restricts the conduct of County employees.

~~(e)~~ (d) *Implementation.* All appropriate County representatives, including the Chief of the Bureau of Human Resources, Director of Facilities Management and the Chief Administrative Officer, and all elected officials shall implement the foregoing policy ban.

~~(d)~~ (e) *Effect of section.* This section supersedes and replaces any and all earlier resolutions and ordinances pertaining to the subject of a smoking policy and the smoking of tobacco products for in County facilities. It is intended for this section to apply to County facilities. However, to the extent that any provision of this section is less restrictive in regulating ~~smoking~~ the smoking of tobacco products in County facilities than another ordinance, the more restrictive provision shall apply.

Effective date: This ordinance shall be in effect immediately upon adoption..