

SMOKE-FREE ROBERSONVILLE HOUSING AUTHORITY POLICY

Background

Decades of comprehensive research has conclusively proven that tobacco products pose a significant danger not only to their users, but also to innocent bystanders. Smoking is the number one cause of preventable death in the United States, and the Surgeon General has reported that there is no safe level of exposure to secondhand smoke. Such dangers are uncontroverted.

[As a relatively new technology, little data is available on the safety of electronic smoking devices. The few studies available have found that these devices contain detectable levels of carcinogens and toxins, and though the content levels vary, the devices are designed to deliver some amount of nicotine to the user—an established addictive substance. Furthermore, these devices enjoy a particular popularity among youth, given the variety of available flavors and the lack of federal advertising and youth-access restrictions.]

In light of the established health risks of tobacco products and secondhand smoke, [and the uncertainty surrounding electronic smoking devices], the ROBERSONVILLE HOUSING AUTHORITY wishes to preserve the health of residents, staff, and the public by establishing and implementing the following Smoke-Free Policy.

Definitions

1) “Landlord”: Person or entity with building and tenant management responsibility. 2) “Outdoor Common Area”: Any outdoor area of the property that is accessible to all residents or members of the public, including [courtyards, lawns, community buildings, playgrounds, and parking lots]. 3) “Smoking”: The burning of a lighted cigarette, cigar, pipe, or another matter or substance that contains tobacco. 4) [“Electronic Smoking Device”: Any device that heats a liquid, gel, or other substance to produce a vapor that is intended to be inhaled by the user. Such devices include, but are not limited to, e-cigarettes, ecigars, and e-pipes.]

No-Smoking Policy

Smoking is prohibited in any area of the property, including Outdoor Common Areas and all residential units. [Smoking is only permitted in RHA Designated Smoking Areas.] [Additionally, the use of Electronic

Smoking Devices is prohibited in all areas where Smoking is prohibited [except in RHA Designated Smoking Areas.] This Policy applies to all residents, guests, visitors, service personnel and employees. [Designated Smoking Areas]

At the RHA’s discretion, certain outdoor areas of the property may be designated as “smoking areas” where Smoking [or use of Electronic Smoking Devices] is permissible. Such areas must be clearly labeled as “Designated Smoking Area” with proper signage, must be at least [25 feet] away from any door, window, vent, or other opening that provides airway access to a residential unit or indoor area, and must be at least [25 feet] away from any Outdoor Common Area primarily used by children or for physical activity.

Notice of This Policy

This Policy shall be distributed to all residents and staff [30 days] before its Effective Date of July 6th 2017. Copies shall also be distributed to new residents and staff who arrive on or after the Effective Date. In addition, on the Effective Date, “No Smoking [or Electronic Smoking Devices]” signs shall be clearly posted in all areas covered by this Policy.

Violations and Enforcement

The Landlord has the authority to enforce this Policy, and residents, staff, [guests, visitors] may report any violations to the Landlord.

A first violation of this Policy will result in a verbal warning. A second violation will result in a written warning. Any subsequent violation will be treated as a material Breach of the Lease, with consequent

Lease Termination and Notice to Vacate [When such Breach occurs, Tenant will be responsible for all repair costs associated with smoking related damage, such as carpet or upholstery replacement and wall repainting.

Effective Date of Policy

This Policy shall be effective on July 6th 2017. [As of the effective Date, new residents and residents renewing lease terms will be required to adhere to this Policy. Residents whose current lease terms expire after the Effective Date will not be subject to this Policy until the Expiration of their current Lease].

Established by Board Resolution #2017-2B

06/06/2017