



EMPLOYMENT &
HUMAN SERVICES

MEMORANDUM

Kathy Gallagher, Director

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To: Code 2A – All EHSD Staff

Date: January 7, 2021

cc:

From: EHSD Administration

Subject: Reminder of Secondhand Smoking Restrictions in Buildings, Outdoor Areas Around County Buildings, Vehicles, and Enclosed Areas Occupied by County Employees

We want to remind staff of the County Ordinance that prohibits smoking in all County owned and leased buildings and spaces including parking lots and outdoor areas owned or leased by the County. Smoking is also prohibited in County owned or leased vehicles. The Ordinance defines “smoking” to include cigarettes, cigars, pipes, water pipes, marijuana (including medical marijuana), e-cigarettes and vapor pens. This Ordinance was effective March 1, 2015.

The Ordinance clearly applies where the County is the sole lessee of the facility. For buildings where the County shares occupancy with non-County organizations, e.g., Port Chicago Highway, the ordinance only applies to space that is directly under lease and not to public areas or parking lots around the buildings. However, there is a California law that prohibits smoking within 20 feet of the entrance to a public building. If there are questions, please discuss it with your immediate supervisor.

The Health Services Department continues to provide leadership on the implementation of this ordinance. EHSD staff may remind visitors of the County Ordinance but should not do so if there is any risk of a confrontation or physical harm.

While the intent of this ordinance is to discourage smoking and aid in helping employees and visitors to stop smoking, employees violating the ordinance could be subject to discipline up to termination. In addition, since this a County Ordinance, violators could be cited by law enforcement.