

# **NO-SMOKING POLICY**

## **BACKGROUND**

ACCORDING TO THE AMERICAN LUNG ASSOCIATION, CIGARETTE SMOKING IS THE NUMBER ONE CAUSE OF PREVENTABLE DISEASE IN THE UNITED STATES. THE ELDERLY AND YOUNG POPULATIONS, AS WELL AS PEOPLE WITH CHRONIC ILLNESSES, ARE ESPECIALLY VULNERABLE TO THE ADVERSE EFFECTS OF SMOKING AND SECONDHAND SMOKE. THE EPA HAS IDENTIFIED SECONDHAND SMOKE AS A CLASS A CARCINOGEN. A CLASS A CARCINOGEN IS A CANCER CAUSING AGENT. ALLOWING SMOKING WITHIN APARTMENT UNITS EXPOSES ALL RESIDENTS AND SITE STAFF TO THESE KNOWN CARCINOGENS. APARTMENT TURNOVER COSTS CAN BE TWO TO SEVEN TIMES GREATER WHEN SMOKING IS ALLOWED.

## **HUD REGULATION REFERENCES:**

1. PIH 2009-21
2. HUD H 2012-22
3. 24 CFR/965-966 Final Rule

## **PURPOSE OF NO-SMOKING POLICY:**

1. To comply with Federal Regulation.
2. To mitigate the irritation and known health effects of secondhand smoke.
3. Minimize the maintenance, cleaning, and redecorating costs associated with smoking.
4. Decrease the risk of smoking-related fires to property and personal safety.
5. To allow all staff the opportunity to perform their job duties in an environment that is non-smoking.

## **PROPERTIES THAT WILL IMPLEMENT THE NO-SMOKING POLICY:**

- The Henry Myer Towers
- Edgewood Apartments
- Houtzdale Apartments
- Hawk Run Apartments

## **NON-SMOKING AREAS:**

Smoking will not be permitted in INDIVIDUAL APARTMENT HOMES or the COMMON SPACES of a community or facility of any type, unless otherwise specified.

Definition of smoking: The term "smoking" means inhaling, exhaling, breathing or carrying any lit cigar, cigarette, electronic cigarette, or other tobacco product or similar product in any manner or in any form. Burning of incense, sage and similar products are also not allowed in the designated areas.

- *INDIVIDUAL APARTMENT HOMES* are defined as the interior and exterior spaces tied to a particular unit. This includes, but is not limited to, bedrooms, hallways, kitchens, bathroom, patios, balconies and unit entryway areas.
- *COMMON SPACES* are defined as areas within the building that are open to the public, including but not limited to swimming pools, sport courts, playgrounds, community rooms, community bathrooms, community kitchens, lobbies, reception areas, hallways, laundry rooms, reception areas, stairways, offices and elevator, and within 25 feet outside of building(s) including entry ways, windows, porches, balconies and patios.
- *DESIGNATED SMOKING AREAS* will be indicated at each property, if applicable.

## **THOSE AFFECTED BY THE NO-SMOKING POLICY:**

This policy applies to **EVERYONE** (residents, guests, visitors, service personnel and CCHA employees) who visits, lives and works at CCHA properties.

### **RESIDENT RESPONSIBILITY**

1. It shall be the resident's responsibility to inform his/her household members and guests of this No-Smoking Policy.
2. The resident shall prohibit smoking by his/her household members or guests while on the premise that would violate this policy.
3. Failure to comply or upon repeated violations to this policy may be cause for lease enforcement action up to and including termination of resident tenancy.

### **EMPLOYEE RESPONSIBILITY**

It will be the responsibility of all employees to inform residents, guests, visitors, and service personnel of the No-Smoking Policy and to enforce the policy.

The new No-Smoking Policy DOES NOT MEAN that residents/employees will have to quit smoking in order to live and/or work at properties/campus. The new policy will only limit smoking to designated areas.

**Smoking Cessation Information and Support is available by contacting Penn Highlands HealthCare at 375-3575 or The Lung Center at 375-3770, or by contacting your physician.**

## **NO-SMOKING SIGNAGE:**

Properties shall post "No Smoking" signs at designated locations.

## **ENFORCEMENT FOR RESIDENTS:**

If a resident or employee complains about being bothered by smoke or knows of another resident who has violated the policy, the following steps will be taken:

**1<sup>ST</sup> VIOLATION** – Site staff will visit the residence and document whether or not he/she smelled or witnessed smoke inside the unit. Staff will follow-up the visit with a letter explaining the conversation and the outcome.

**2<sup>ND</sup> VIOLATION** – If the problem repeats, the resident will be sent a "Non-Compliance Notice" and a follow up inspection will be performed by Housing Authority Staff.

**3<sup>rd</sup> VIOLATION** – If the violation persists, you will receive a Lease Violation Letter explaining the Eviction Proceedings and Grievance Process. Eviction Action due to violations of the No-Smoking policy must be approved by the Property Manager and the Executive Director.

*The proposed No Smoking Policy was reviewed by the board. HUD now requires that Housing Authorities designate all properties as no smoking facilities. The federal rule is intended to improve indoor air quality, benefit the health of public housing residents and PHA staff, reduce the risk of fires, and lower overall maintenance costs. Ms. Straw informed the board that during the past two (2) years, all properties have had smoking cessation classes offered, along with information on the health hazards and awareness. There have been serious maintenance problems in vacated units of residents who were heavy smokers, to the extent of nicotine actually running down walls and appliances. The costs to refurbish these units is excessive. Heavy smoking also affects neighboring residents and hallways. Although it may be difficult to maintain 100% compliance, the decrease in smoking due to the policy will no doubt have a positive effect in all buildings. The rule also requires no smoking within 25 feet of exits. The rule does not require anyone to quit smoking – it requires those who wish to continue to smoke to do so outside the buildings. Residents will sign a lease addendum and receive a copy of the No Smoking policy. Signage will be posted at the buildings to inform guests and visitors of the policy. (ref PIH-2009-21, HUD H 2012-22, 24 CFR/965/966 Final Rule, and PIH-2017-03).*

*After all questions were answered to the satisfaction of the board, Chairman Beauseigneur introduced the following Resolution:*

*RESOLUTION to adopt the No Smoking Policy as presented, with immediate posting at all buildings with notification signage.*

*Be It Resolved to adopt the No Smoking Policy as presented, with immediate posting at all buildings with notification signage.*

*Upon motion by Lisa Kovalick, with a second by Shelia Williams, voted unanimously in the Affirmative, the Chairman declared the motion carried and the foregoing Resolution Number 1785-17, ADOPTED.*