

## EXECUTIVE ORDER NO. S-12-13

### NO SMOKING POLICY

#### PURPOSE:

The City of Omaha is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees, as well as our “customers” – the taxpayers doing business with City government. As required by the Nebraska Clean Indoor Air Act and City of Omaha ordinances, and also motivated by our desire to provide a healthy work environment for our employees, the following no smoking policy has been adopted and shall apply to all employees of the City of Omaha.

#### POLICY AND PROCEDURES:

Smoking, in all forms, is prohibited by all persons in any City Facility or vehicle. This policy does not prohibit smoking in designated outdoor areas.

##### A. Definitions:

1. **City Facility** shall mean any indoor office, work area, or location used by the general public or serving as a place of work for City employees that is owned, lease, or rented and under the day-to-day control of the City of Omaha.
2. **Smoking** shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device. An electronic smoking device is an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.
3. **Vehicle** shall mean any self-propelled conveyance designed for use upon City streets that is owned, leased, or rented by the City of Omaha.

##### B. Enforcement:

Department heads shall ensure that the supervisor in charge of such a City facility or vehicle shall make reasonable efforts to prevent smoking in the City facility or vehicle by:

1. Posting appropriate signs.
2. Asking smokers to refrain from smoking in a smoke-free area, citing the Nebraska Clean Indoor Air Act, appropriate City ordinances, and this City policy.

3. Informing the violators that they may be guilty of a Class V misdemeanor under the laws of the State of Nebraska.
4. Taking any other appropriate means, including disciplinary action for City employees pursuant to appropriate union contract or Chapter 23 of the Omaha Municipal Code.

BY THE POWER VESTED IN ME AS MAYOR BY SECTION 3.04 OF THE HOME RULE CHARTER OF THE CITY OF OMAHA, 1956, AS AMENDED, I HEREBY PROCLAIM THIS TO BE THE EXECUTIVE ORDER ESTABLISHING AND GOVERNING THE NO SMOKING POLICY.

WITNESS my hand as Mayor of the City of Omaha this 4 day of Nov., 2013.

  
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Jean Stothert, Mayor  
City of Omaha