

RESOLUTION 4-2010

A RESOLUTION AMENDING RESOLUTION 47-2009 TO ESTABLISH SMOKE FREE ZONES AROUND ALL MADISON COUNTY BUILDINGS

WHEREAS, the Montana Clean Indoor Air Act has prohibited smoking in government buildings and all publicly used and accessed buildings, including, as of October 1, 2009, all bars and casinos; and

WHEREAS, the ban on smoking in public places and buildings was enacted, generally, due to the adverse health effects of inhaling second hand smoke; and

WHEREAS, even before the enactment of the MT Clean Indoor Air Act, smoking within the Madison County Courthouse and Annexes was not permitted; and

WHEREAS, when smoking is conducted immediately outside the doors and near the windows of the courthouse and other county buildings, the second hand smoke invariably drifts upward and is pulled into the building itself, either by an open door or window, or the air ventilation system; and

WHEREAS, it has come to the attention of the Madison County Commissioners and Public Health Department that such smoking, done immediately adjacent to a building, even though it is conducted outside the building, and is unintentional on the part of the smoker, nonetheless results in second-hand smoke entering the Madison County buildings; and

WHEREAS, the only means available to prevent the entry of second-hand smoke into the building is to establish designated smoking areas upon the grounds of all county buildings, away from all entrance doors, windows, and air ventilation systems of the buildings.

WHEREAS, in recognition that the County Communication Center is staffed 24 hours a day by a single Communication Officer, and the Communication Officer must stay within hearing distance of the communication console, the Communication Officer may smoke outside of the Courthouse structure, except during regular business hours of 8AM to 5PM.

NOW THEREFORE BE IT RESOLVED that effective immediately, the Board of Commissioners of Madison County does hereby amend Resolution 47-2009, to allow an exception for the County Communication Officers to smoke within the 20 foot smoke-free zone at the Madison County Sheriff's Office entrance after regular county business hours (8:00 AM to 5:00 PM).

APPROVED BY THE BOARD OF COMMISSIONERS THIS 19th DAY OF JANUARY, 2010.

JAMES P. HART, CHAIRMAN

MARILYN ROSS

DAVID SCHULZ

ATTEST: _____

Peggy Kaatz
Clerk and Recorder