Municipal Policy Template: Smoke-Free Public and Private Rental Housing

March 11, 2022

# TOWN OF

**Smoke-Free Public and Private Rental Housing Ordinance**

This policy prohibits the possession or use of all lighted tobacco and cannabis products and use of tobacco substitutes (including vaping devices) in public and private rental housing units, including porch and patio areas, indoor common areas, and administrative offices. The smoke-free policy also extends to all outdoor areas owned by the rental housing property operator or the Town of \_\_\_\_\_\_\_\_\_\_\_\_, up to 25 feet from the exterior of the housing and administrative office buildings.

**SECTION 1. AUTHORITY.** This ordinance is adopted by the selectboard of the Town of [insert town name] pursuant to [XXXXXX].

**SECTION 2. PURPOSE.** The purpose of this ordinance is to promote and protect the public health, safety, and welfare of those living and/or working or visiting in public/private multi- or single unit rental housing, and to protect them from the harms associated with secondhand smoke/vapor exposure.

**SECTION 3. DEFINITIONS.** For the purposes of this ordinance, the following words and/or phrases are defined as follows:

1. **Tobacco Products:** cigarettes, little cigars, roll-your-own tobacco, snuff, cigars, new smokeless tobacco, and other tobacco products as defined in 32 V.S. A. §7702.
2. **Tobacco Substitute Products:** products, including electronic cigarettes or other electronic or battery-powered devices, that contain or are designed to deliver nicotine or other substances into the body through the inhalation of vapor and that have not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes as defined by 7 V.S.A. §1001(8). Products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered to be tobacco substitutes.
3. **Cannabis:** all parts of the plant Cannabis sativa L. as defined by 7 V.S.A. §831.

# SECTION 4. ENFORCEMENT.

Left blank for determination by the municipality.