

DATE: October 2014
TO: Tompkins County Employers
FROM: Frank Kruppa
RE: **E-Cigarette Use**

At its September 2, 2014 meeting, the Tompkins County Legislature voted to include E-cigarettes and other electronic nicotine delivery systems (ENDS) as smoking materials that are prohibited under the county's 2003 clean indoor air law, Chapter 72-6 of the County Code. The amended law has been filed with the Secretary of State and is now in effect.

This means that use of E-cigarettes or other ENDS in any place of employment, bar, or food service establishment is prohibited under County law.

In the case of food service establishments, the prohibited use of ENDS (or any smoking) also includes all outdoor seating areas where food is served.

The text of the changes to Chapter 72-6 are below. No other changes were made in this law.

ENDS were added because the emissions from ENDS and secondhand vapor pose a public health risk. Studies show significant levels of carcinogens and other dangerous chemicals are put into the air when the devices are used. In addition, the amended law mitigates potential concerns about the appearance of smoking in prohibited areas, and potential confusion in enforcement.

As amended, the law is to be enforced in the same manner as has been practiced since it first became effective in 2003. It is the responsibility of the workplace to maintain a smoke-free place of employment. Individuals who observe someone smoking in a prohibited area may file a complaint with the Environmental Health Division of the Tompkins County Health Department.

If you have any questions, please call (607) 274-6600, or visit www.tompkinscountyny.gov/health/ecigs.

Chapter 72-6. Definitions (amended portions only)

“Electronic Nicotine Delivery Systems (ENDS)” means a personal electronic device that aerosolizes liquid or gel containing nicotine, flavorings, or other substances and produces an emission that may be absorbed or exhaled by user.

“Smoking” means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance that contains tobacco or the use of ENDS.