**RESOLUTION #\_\_\_\_\_\_**

**RESOLUTION IN SUPPORT OF**

**COMPREHENSIVE SMOKEFREE AIR**

**WHEREAS**, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer; and

**WHEREAS**, the 2006 U.S. Surgeon General's report, *"The Health Consequences of Involuntary Exposure to Tobacco Smoke,"* concluded that there is no risk-free level of exposure to secondhand smoke; ventilation and other air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke; smokefree workplace policies are the only effective way to eliminate secondhand smoke exposure in the workplace, and evidence from peer-reviewed studies shows that smokefree policies and laws do not have an adverse economic impact on the hospitality industry; and

**WHEREAS**, the Public Health Service's National Toxicology Program has listed secondhand smoke as a known carcinogen; and

**WHEREAS**, based on a finding by the California Environmental Protection Agency in 2005, the California Air Resources Board has determined that secondhand smoke is a toxic air contaminant, finding that exposure to secondhand smoke has serious health effects, including low birth-weight babies; sudden infant death syndrome (SIDS); increased respiratory infections in children; asthma in children and adults; lung cancer, sinus cancer, and breast cancer in younger, premenopausal women; heart disease; and death.; and

**WHEREAS**, the U.S. Centers for Disease Control has issued a warning that anyone at risk for heart disease should avoid entering smoke-filled environments; and

**WHEREAS**, secondhand smoke is particularly hazardous to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including people with asthma and those with obstructive airway disease; and

**WHEREAS**, unregulated electronic smoking devices, commonly referred to as electronic cigarettes, or “e-cigarettes,” closely resemble and purposefully mimic the act of smoking by having users inhale aerosolized or vaporized liquid nicotine created when the liquid nicotine passes a battery-powered heating element; and

**WHEREAS**, the aerosol of electronic smoking devices contains undetermined and potentially harmful substances, which may appear similar to the smoke emitted by traditional tobacco products, and their use in workplaces and public places where smoking of traditional tobacco products is prohibited creates concern and confusion and leads to difficulties in enforcing the smoking prohibitions; and

**WHEREAS**, The Indiana Code, under IC 36-8-2-8 and IC 7.1-5-12-13, clearly authorizes county and other local governments to regulate secondhand smoke; and

**WHEREAS**, local governments throughout Indiana have successfully passed smokefree air laws to protect Hoosiers against the harmful effects of secondhand smoke; and

**WHEREAS**, there is no legal or constitutional “right to smoke,” business owners have no legal or constitutional right to expose their employees and customers to the toxic chemicals in secondhand smoke, on the contrary, employers have a common law duty to provide their workers with a workplace that is not unreasonably dangerous; and

**WHEREAS**, the smoking of tobacco, hookahs, or marijuana and the use of electronic smoking devices are forms of air pollution and constitute both a danger to health and a material public nuisance; and

**WHEREAS**, the existing Hancock County smoking ordinance has helped improve its public health in a demonstrative way; and

**WHEREAS**, the Town of McCordsville favors the existing smokefree workplace policy which is uniform for business owners across all jurisdictions in Hancock County; and

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF McCORDSVILLE, INDIANA,** that the Town Council does hereby RESOLVE as follows:

We hereby affirm our support for comprehensive smokefree air laws that ensure protection for all workers from the dangers of secondhand smoke.

TOWN COUNCIL OF THE TOWN OF

McCORDSVILLE, INDIANA

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ATTEST:

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Clerk-Treasurer