



NEW HANOVER COUNTY

HEALTH & HUMAN SERVICES

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Donna Fayko, Director

TO: New Hanover County and Municipal Leadership

FROM: Donna Fayko

DATE: January 29, 2021

RE: New Hanover County Smoking/Vaping Rules - <https://health.nhcgov.com/permits-and-rules/>

You are receiving this letter because your municipality will be affected by New Hanover County's new smoking/vaping rule, which went into effect **Feb 1, 2021**. We are here to support you in implementing the rule, and we need your assistance for successful implementation. I wanted to share some key points about the regulation and your role to help it meet its intent of protecting public health in our county.

It's important for you to understand **WHY** the New Hanover County Health and Human Services Board developed this rule, which was then affirmed by the New Hanover County Board of Commissioners.

Our Vision:

In our county, too many people are harmed and killed by tobacco product use. On top of that, e-cigarettes and vaping are successfully addicting our youth to harmful products containing nicotine. This rule takes action to address both problems and protect our citizens' health. We know that smoke-free/Vape-free policies are an evidence-based approach to deliver a **triple benefit for public health:**

- 1) People benefit from **reduced exposure to secondhand tobacco smoke** (a strongly documented health threat) **and secondhand e-cigarette emissions** (known to contain harmful chemicals).
- 2) Having fewer places where people can smoke or vape **supports people who are trying to quit and trying to stay quit** by not exposing them to the products they are working to quit using.
- 3) **Our youth** will be much less likely to see people (including their role models) using cigarettes and e-cigarettes in public places, reducing their likelihood of trying it for themselves.

What we ask of you:

It's important that you provide your staff, customers and residents awareness of this rule. Here are the required steps:

- 1) **Post appropriate signs reflecting both no smoking and no e-cig/vaping**
<https://health.nhcgov.com/your-environment/tobacco/> - this link takes you to our webpage created to educate and support our community about the rule, click on the Businesses bar below to access printable signage for entrances to your facilities and spaces covered by the rule.

Signs must be posted at each entrance to your facilities and at your properties covered by the rule. This includes lobbies, hallways, common areas, parks and open spaces, and other indoor spaces where the public is invited or permitted. In addition, over time, and when you're prepared to post outdoor signage for parking areas, parks, etc. we are making available to you outdoor signage for this purpose.

In addition, vaping (use of e-cigarettes) will be prohibited in areas where smoking is already covered by the state law. This includes restaurants, bars, common areas and non-smoking rooms of hotels and inns (up to 20% of rooms can be reserved for smoking/vaping).

2) Remove all ashtrays and other smoke receptacles from the areas where smoking is prohibited

This includes all indoor areas in your facilities and spaces listed above.

3) Cessation Support

While it is important to make your employees, residents, and visitors aware of the rule, more important is informing them and supporting their efforts to quit with any cessation services available to them.

NOW IS THE TIME to inventory your employer provided health insurance for tobacco cessation benefits and promote those benefits to your employees and/or covered dependents. There are also excellent free services available to help people quit tobacco and vaping.

General Public:

1) QuitlineNC will provide a counseling session, printed materials and registration for Web-Coaching and Text-Coaching services for people who want to quit, and who have private insurance. Access these services at 1-800-Quit-Now (1-800-784-8669) or at www.quitlineNC.com. There are special programs, with additional counseling sessions, for those with behavioral health issues, who are pregnant or planning a pregnancy, and services are available in English, Spanish and other languages.

2) Smokefree.gov has live chat, online, text and app programs, including programs in Spanish, and programs especially for vaping, women, older adults, teens, and veterans.

3) [BecomeAnEx: https://www.becomeanex.org/](https://www.becomeanex.org/)

BecomeAnEx strives to help identify your triggers... any time, place, activity or person can trigger your desire to smoke. Once your triggers are identified, BecomeAnEx.org provides interactive resources to teach you how to deal with these urges without smoking. Information is available in English and Spanish.

Additionally, your local provider may have resources for cessation.

Education

We are counting on you to help educate your staff and the people of New Hanover County about the smoke-free/vape-free regulation. Please reach out to your chambers of commerce, civic clubs, economic

development commissions as well as organizations that have access to members of priority populations, such as LGBTQ individuals, tourists, college students, African American communities, Spanish speaking groups, amongst many others. New Hanover public health can share some communication tools with you, such as social media images and poster art, that can help you with this. These will be found at <https://health.nhcgov.com>.

The MORE education you do with your employees and residents, the LESS you will have to engage them in enforcement.

Most smoke-free/vape-free regulations require little if any enforcement. Education, signs and reminders are all it normally takes for such rules to be followed. It is my hope that by educating your employees, residents, and visitors, you can successfully keep your facilities and spaces free of tobacco smoke and e-cigarette emissions.

Here is the plan for enforcement:

- 1) Violations by employees should be handled internally, respective to personnel policies.
- 2) Violations by individuals who don't comply with an initial verbal warning can be charged by a law enforcement officer with an Infraction punishable by a \$50 fine.
- 3) Violations by individuals who own, manage, operate, or control an indoor public place, and do not sustain a smoke-free/vape-free environment can be cited with up to two warning letters by the New Hanover County health director. A third violation during the same year may result in a \$200 administrative penalty for each day the public place is out of compliance.

As the New Hanover County Health and Human Services Director, I'm counting on leaders like you to help us in making our county safer and healthier starting February 1, 2021. We know that implementation will be a process and not occur overnight. Please let us know how we can assist you through this transition.

In partnership,

Donna F. Fayko

HHS Director