



NO SMOKING POLICY

Resolution No.: 446 Date: 9.27.17

As required by HUD, the Falls City Housing Authority is hereby adopting a policy to forbid smoking in all of its structures and within 25 feet of a Falls Housing Authority owned structure. This policy does not prohibit smoking by public housing residents but defines where they can or cannot smoke. This policy shall go into effect at the time of execution of new/renewed leases after January 1st, 2018 but no later than July 30th, 2018, whichever is earliest.

A. PURPOSE:

This policy was developed to:

1. Protect tenants from the medical hazards of second hand smoke;
2. Protect lives and property from fires due to smoking accidents; and
3. Reduce turnover costs associated with smoke damage in our residential units.

B. DEFINITIONS:

Prohibited tobacco products. Items that involve the ignition and burning of tobacco leaves, such as (but not limited to) store bought or hand-rolled cigarettes, cigars, and pipes. This includes water pipes and/or hookahs.

Restricted areas. Smoking is not allowed in any public housing living units and other interior areas. Interior areas include, but are not limited to, hallways, rental, and administrative offices, maintenance facilities, community centers, day care facilities, laundry facilities, and similar structures. Smoking is also prohibited on the exterior grounds of the property excluding the designated smoking area(s).

Designated smoking areas. Smoking will be limited to areas outside a restricted area and designated for smoking by the Falls City Housing Authority. The area will be identified by signage erected on the site. The designated smoking area will be accessible for persons with disabilities.

Covered individuals. This policy covers not only everyone living on the property, but also all guests and visitors. Each resident is responsible for his or her guests or visitors. Violations of this policy by an aide, guest or visitor will be considered to have been made by the resident(s) head of household.

C. THE POLICY:

Beginning July 30th, 2018 or at the execution of a new or lease renewal after January 1st, 2018, whichever is earliest, no lighted prohibited tobacco products will be allowed in restricted areas of the Falls City Housing Authority (all public housing living units and other interior areas. Interior areas include, but are not limited to, hallways, rental, and administrative offices, maintenance facilities, community centers, day care facilities, laundry

facilities, and similar structures. Smoking is only allowed in the designated smoking areas. Residents, aides, visitors, and guests are all covered by this policy. Any costs incurred by the Falls City Housing Authority due to a violation of this policy by a resident, an aide, visitor, or guest shall become the financial obligation of the resident. Lighted prohibited tobacco products will only be allowed on the Falls City Housing Authority property in areas designated by the Falls City Housing Authority.

D. PHASE-IN PERIOD:

All residents will need to sign a new lease incorporating this policy into the lease and sign a form attached to the end of this acknowledging their understanding of the No Smoking Policy.

The Falls City Housing Authority has information and resources available to assist people who want to begin their effort to quit smoking even before the new No Smoking Policy goes into effect. People desiring a referral should contact 1-800-QUIT-NOW or visit www.smokefree.ne.gov.

While the policy will not take effect until June 30th, 2018, the Falls City Housing Authority urges its smoking residents to begin their transition to a smoke-free life as soon as possible. The Falls City Housing Authority recognizes that quitting smoking is a difficult task and urges its residents to give themselves as much time as possible to make the transition.

Residents living in the property when this policy is adopted, have time to make the transition. This will not be the case for smokers admitted after the effective date of this policy. The fact that one smokes is not a valid reason for rejecting an applicant for public housing. However, smokers admitted after the effective date of this policy are expected to comply with the policy immediately upon their admission to public housing. For this reason, the Falls City Housing Authority will offer a referral to a smoking cessation program both upon a request to join the public housing waiting list and upon reaching the top of the waiting list and getting close to being offered a public housing unit. Whether one takes advantage of the referral is totally up to the applicant.

E. REASONABLE ACCOMMODATION REQUESTS:

An addiction to nicotine or smoking is not a disability. That stated, a person with a disability may request a reasonable accommodation if they are a smoker. Reasonable accommodations will be made, where warranted, as quickly as possible.

F. PENALTIES FOR VIOLATING THIS POLICY:

If a resident, aide, visitor or guest violates this policy the following penalties shall be enforced:

First Offense	Oral Warning
Second Offense	Written Warning and a Referral to a Smoking Cessation Program if the violator is a resident
Third Offense	Eviction

If the violator is an aide, visitor or guest; the graduated penalty steps will start over with each annual lease renewal. There is no start over for a resident.

All penalties assessed against a resident will be documented in the resident's file.

G. DISCLAIMER:

The Falls City Housing Authority's adoption of this policy does not change the standard of care it has for the living units or common areas. The Falls City Housing Authority specifically disclaims any implied or express warranties concerning the air quality in either the living units or common area. There is no warranty or promise that the air will be smoke free.