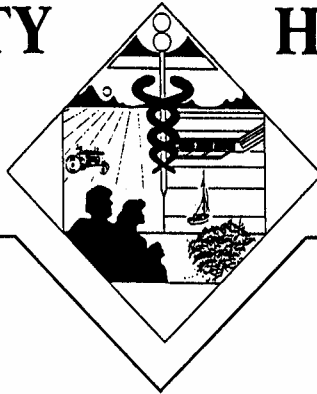


GRANT COUNTY

County Courthouse
P.O. Box 37
Ephrata, WA 98823
(509) 754-6060



HEALTH DISTRICT

1038 W. Ivy Avenue
Moses Lake, WA 98837
(509) 766-7960

POLICY AND PROCEDURE

Subject: Procedures to allow smoking less than 25 feet from doorways, windows, etc.		Index: ADMINISTRATION ENVIRONMENTAL HEALTH	
		Number: EH.2.901Rebuttal	
Effective Date: March 8, 2006	Approved by: Health Officer <i>/s/Dr. Brzezny 03/13/06</i>	Supersedes: (none)	Page 1 of 3

1.0 PURPOSE/REFERENCES:

To provide uniform guidelines for submitting applications to allow smoking less than 25 feet from exits, entrances, windows that open, ventilation intakes, or other entrances of air into a building, consistent with RCW 70.160, as amended by Initiative 901.

2.0 SCOPE:

This policy applies to the Environmental Health Division of the Health District.

3.0 DEFINITIONS:

- 3.1 Presumptively Reasonable Distance: A minimum of 25 feet from entrances, exits, windows that open, and ventilation intakes that serves an enclosed area where smoking is prohibited.
- 3.2 Place of employment: Any area under the control of a public or private employer which employees are required to pass through during the course of employment. A private residence or home-based business, unless used to provide licensed

child care, foster care, adult care, or other similar social service care is not a place of employment.

3.3 Public Place: Any portion of any building or vehicle used by, and open to the public regardless of whether the building is owned whole or in part by private persons or entities or by public entities such as county, state, or municipal government. A public place does not include a private residence, unless the residence is used to provide licensed child care, foster care, adult care, or other similar social service care on the premises.

3.4 Clear and convincing evidence: Evidence that is so strong as to leave no substantial doubt to any reasonable person reviewing it.

4.0 POLICY:

4.1 An application for rebutting the Presumptively Reasonable Distance requirement from a public building or place of employment shall include the following:

- a. A non-refundable application fee as required by the GCHD fee schedule.
- b. A written description of the reduction requested and an explanation by the applicant why the reduced separation is needed.
- c. A map of the area drawn to scale showing location of entrances, exits windows that open, and ventilation intakes or other factors that will allow smoke into a building.
- d. A written justification from the applicant presenting clear and convincing evidence from information they have collected that smoke will not enter ventilation intakes, windows that open and other entrances into the building.
- e. A written explanation from the applicant describing how the effectiveness of the reduced separation will be monitored and what action will be taken if smoke is determined to be entering the facility at a future time.

4.2 Each application for a reduction from the separation of 25 feet shall apply only to the specific area addressed in the application, not to any area around or near the building.

5.0 PROCEDURES:

5.1 A visit to the location will be made by a Health District representative within 10 working days after the completed application is received, including payment.

5.2 A determination regarding applications will be prepared within 30 days of the date of application.

- 5.2.1** Environmental Health staff and the Grant County Health Officer will review all information submitted.
- 5.2.2** The determination may be delayed if the applicant is not available to assist as needed.