
MODEL TOBACCO-FREE EVENT POLICY

WHEREAS, the **[Name of organization]** is committed to protecting the health and safety of all participants; and

WHEREAS, tobacco use in the proximity of children and adults engaging in the **[Name of organization]**'s event site poses health concerns; and

WHEREAS, the **[Name of organization]** has a unique opportunity to create and sustain an environment that supports a tobacco-free norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling; and

WHEREAS, parents and community leaders involved in local events are role models for youth and can have a positive effect on the lifestyle choices they make; and

WHEREAS, no form of tobacco use is safe. Tobacco products, like e-cigarettes, cigars, hookahs, dissolvables, heat-not-burn cigarettes, and smokeless tobacco, contain some of the same chemicals as regular combustible cigarettes;ⁱ and

WHEREAS, the US Surgeon General has concluded that there is no safe level of exposure to secondhand smoke. Secondhand tobacco smoke is a Class A Carcinogen;ⁱⁱ ⁱⁱⁱ and

WHEREAS, secondhand smoke levels in outdoor public places can reach levels as high as those found in indoor facilities where smoking is permitted;^{iv} and

WHEREAS, e-cigarette aerosol that users breathe from the device and exhale can contain harmful and potentially harmful substances, including nicotine, ultrafine particles, flavoring, volatile organic compounds, cancer-causing chemicals and heavy metals such as nickel, tin, and lead. Exposure to e-cigarette aerosol has not been proven to be safe;^v and

WHEREAS, there is no constitutional right to smoke;^{vi} and

WHEREAS, tobacco-free policies can help tobacco users quit and prevent initiation of tobacco use;^{vii} and

WHEREAS, a tobacco-free policy can protect the environment and the **[Name of organization]**'s event site from toxic litter. Cigarette and other tobacco product litter is unattractive, expensive to clean up, hazardous to young children, and harmful to waterways and wildlife;^{viii} and

WHEREAS, communities throughout Montana have protected the health and safety of local event participants with tobacco-free event policies; and

NOW THEREFORE, it is intent of the **[Name of organization]**, in enacting this tobacco-free event policy to protect public health and welfare by reducing harmful impacts of secondhand smoke, presenting healthy behaviors to youth, and supporting those who are quitting tobacco products.

[Name of organization] adopts the following Tobacco-Free Event Policy:

Definitions

- 1) “Event” means any organized activity that is sponsored or operated either totally or in part by and over which it has control or responsibility, or raises funds for **[name of organization]**. This definition includes activities related to the scheduled Event itself as well as Event set-up and take-down.
- 2) “Event site” means the entire physical area in which an Event is being staged and over which **[name of organization]** has control or responsibility. The Event Site includes all open, semi-open, and enclosed spaces and structures, including for example parking lots, loading docks, exhibit halls or vendor booths, conference rooms, dining areas, bathrooms, performance stages, sports or other recreational areas or facilities, pedestrian walkways or pathways, and roads accessible to motorized vehicles.
- 3) “Tobacco Product” means
 - a) any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, and snus.
 - b) any product, regardless of whether or not it contains nicotine, that can be used to deliver nicotine or another substance or solution in any form, including but not limited to aerosolized, vaporized, or heated, to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah.
 - c) notwithstanding any provision to the contrary, “Tobacco Product” includes any component, part, or accessory intended or reasonably expected to be used with a Tobacco Product, whether or not sold separately. The term “Tobacco Product” does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Tobacco-Free Event Policy and Procedures

- 1) No person shall use any form of Tobacco Product at or on any events organized by, operated by, funded by, owned by, or which raises funds for **[name of organization]**. These facilities include **[insert specific facilities here]**.
- 2) The tobacco-free policy does not apply to a site that is being used in connection with the practice of cultural activities by American Indians that is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, whether or not the public is allowed access to those places.
- 3) It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
- 4) Appropriate signs shall be posted in the above specified areas in a conspicuous manner.

Tobacco-free signage is a common enforcement strategy. The use of signs is directly related to citizen enforcement.

- 5) Enforcement of the policy is a shared responsibility of the enforcement team and event attendees. The enforcement team, including **[those who make up the enforcement team]**, will make periodic observations at the events to monitor for compliance.

Venues can encourage citizen enforcement by posting signs strategically throughout the recreational area.

Some venues enforce their policy by having their staff monitor tobacco-free areas. Other venues that have enacted tobacco-free policies did not need to hire additional staff or allocate more resources to carryout enforcement. The venues added staff monitoring into existing job responsibilities.

- 6) Any person found violating this policy may be subject to immediate ejection from the recreation facility for the remainder of the event. Staff found violating this policy may be subject to disciplinary action.
- 7) This Tobacco-Free Event Policy is in addition to any federal, state, or local laws that restrict or otherwise regulate the use of Tobacco Products.
- 8) This Tobacco-Free Event Policy shall be communicated to the community **[30, 60, 120]** days prior to its effective date. This policy is effective as of **[effective date]**.

Policy Contact Information

For questions about this Tobacco-Free Event Policy, contact: **[Name, Title, & Contact Information]**

This Tobacco-Free Event Policy is accepted by and for **[name of organization]** by **[Name]** on **[date]**.

ADDITIONAL RESOURCES TO ASSIST WITH SUPPORTING NICOTINE DEPENDENCE OR ADDICTION RECOVERY

Many free resources are available to help Montanans overcome nicotine dependence or addiction.

Montana Tobacco Quit Line

Call 1-800-QUIT-NOW (1-800-784-8669) or visit www.quitnowmontana.com

- For all Montanans and ALL types of tobacco (smokeless, cigarettes, e-cigarettes, etc.)
- FREE Nicotine Replacement Therapy (NRT), FREE or reduced-cost prescription medication (for Montanans over 18)
- FREE quit coaching, FREE personalized quit plan
- Visit www.quitnowmontana.com for more information, to enroll online or to chat online with a coach

Specialized Quit Line Programs

My Life, My Quit is a youth program for Montanans under 18 who want to quit any form of tobacco including vaping. My Life, My Quit offers CONFIDENTIAL enrollment and coaching, FREE coaching through text, chat, or phone by coaches specially trained to work with youth, and on-line enrollment. Text “Start” to 36072, call 1-855-891-9989 or visit mylifemyquit.com.

The Young Adult Program is for Montanans 18-24 who want to quit tobacco with FREE coaching through text, chat, or phone. Coaches are specially trained to work with young adults. Text “Start” to 36072 for live text coaching, visit quitnowmontana.com for live chat coaching, or call 1-800-QUIT-NOW for live phone coaching.

The American Indian Commercial Tobacco Quit Line connects American Indian callers with an American Indian coach, providing culturally appropriate cessation services. Call 1-855-5AI-QUIT or enter through 1-800-QUIT-NOW and ask for an American Indian coach. Visit MTAmericanIndianQuitLine.com.

The Quit Now Montana Pregnancy Program connects pregnant women with a dedicated female quit coach, offers cash incentives for completed coaching calls, and FREE NRT when approved by doctor. Call 1-800-QUIT-NOW (1-800-784-8669) or visit quitnowmontana.com.

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- i American Cancer Society. Is Any Type of Tobacco Product Safe? <https://www.cancer.org/cancer/cancer-causes/tobacco-and-cancer/is-any-type-of-smoking-safe.html>. November 2020.
- ii Centers for Disease Control and Prevention. The Surgeon General’s Report on The Health Consequences of Involuntary Exposure to Tobacco Smoke. https://www.cdc.gov/tobacco/data_statistics/sgr/2006/pdfs/no-risk-free.pdf. Accessed November 2021.
- iii Public Health Law Center. Secondhand Smoke and Condominiums Webinar. <https://www.publichealthlawcenter.org/sites/default/files/ClearWay%20Webinar%2029.pdf>. February 2012.
- iv Tufts University School of Medicine and Repace Associates, Inc. Fact Sheet: Outdoor Air Pollution from Secondhand Smoke. http://www.repace.com/pdf/OTS_FACT_SHEET.pdf. Accessed November 2021.
- v US Department of Health and Human Services. [E-cigarette use among youth and young adults: a report of the Surgeon General](#). Atlanta, GA: US Department of Health and Human Services, CDC; 2016.
- vi American Lithuanian Naturalization Club, Athol, Mass., Inc., v. Board of Health of Athol, 446 Mass 310 (2006).
- vii Centers for Disease Control and Prevention. Smokefree Policies Reduce Smoking. https://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/protection/reduce_smoking/index.htm. September 2020.
- viii Public Health Law Center. Regulating Tobacco Use Outdoors. <https://www.publichealthlawcenter.org/sites/default/files/resources/regulating-outdoor-tobacco-use-2016.pdf>. June 2016.