

ITEM NUMBER: 8.42 a-c  
CHAPTER 8: Facility and  
Equipment  
Management  
CODE: Information  
COMPUTER ID: FMSMO-3

---

Title: Smoking - Marathon County Ordinance  
Effective Date: 3-18-86  
Authorized By: Marathon County Board of Supervisors  
Date of Last Review: 4-2019

---

MARATHON COUNTY TOBACCO FREE COUNTY BUILDINGS,  
PROPERTY/GROUNDS, EQUIPMENT, AND VEHICLES:

- A. Purpose. Marathon County is committed to providing healthy, clean and productive public workplaces for our residents, employees and visitors. In support of our commitments we have adopted this policy which prohibits the use of tobacco products in all County buildings and structures, on designated County property/grounds and in all County vehicles and equipment.
- B. Benefits. Implementation of this policy will benefit Marathon County by:
1. Improved health. The U.S. Surgeon General concluded that smoke free workplace policies lead to less smoking among workers and elimination of second hand smoke exposure, thus creating a healthier workplace. The U.S. Center for Disease Control and Prevention (CDC) estimates that each smoker results in an annual excess medical expenditure of \$1,623.
  2. Reducing cleaning and maintenance costs. Smokeless or “chew” tobacco products create a particular housekeeping concern because of inappropriate disposal of used “chew” tobacco. Cigarette butts left near building entrances require the attention of cleaning staff.
  3. Increased productivity. The American Productivity Audit, a national survey of 29,000 workers, found that tobacco use was the leading cause of worker lost production time – greater than alcohol abuse or family emergencies. Additionally, the CDC calculates that each employee who smokes results in an annual average loss in production equal to \$1,706.
- C. Definition. In this chapter the following terms have the following meanings:
1. County Building. Any building or structure owned or leased by Marathon County. This includes any structure intended to be a permanent accession to real property; that is designed for sheltering people, for storing property, or for working, office or parking space; that in physical appearance is annexed to the real property, that is covered by a roof and has an enclosed space; that is not readily moved or disassembled; and that is commonly known to be a building or structure because of its appearance and because of the

materials of which it is constructed.

2. County Property/Grounds. Any real property or grounds owned or leased by Marathon County.
  3. Designated Property/Grounds. County owned or leased property, or grounds that are identified as tobacco free by signs, placards, etc.
  4. County Vehicle/Equipment. Any vehicle or equipment owned, rented or leased by the county.
  5. Tobacco products. The term “tobacco products” includes cigarettes, cigars, pipes, chewing tobacco, tobacco free snuff and electronic cigarettes and shall have the meaning as defined in Section 139.75(12), Wisconsin State Statutes, as it presently exists or may from time to time be amended. Notwithstanding any language in Section 139.75(12), Wisconsin State Statutes, “tobacco products” shall also include “cigarettes” as defined in Section 139.30(1m) Wisconsin State Statutes, as it presently exists or may from time to time be amended.
- D. Prohibited Activity. It is prohibited for anyone to use tobacco products in County buildings, structures, designated property/grounds, in or while operating County vehicles or equipment. The use of tobacco products in personal vehicles in the parking areas of any of the grounds designated as tobacco free is also prohibited. Furthermore, Marathon County employees are prohibited to use tobacco products during paid work time, including paid breaks. Employees are not prohibited from using tobacco products during unpaid lunch breaks, paid time off.
1. The County Administrator has designated these grounds as tobacco free:
    - Marathon County Courthouse, 500 Forest St., Wausau
    - 201 and 212 River Dr., Wausau
    - Social Services, 400 E. Thomas St., Wausau
    - Library Headquarters, 300 N. 1<sup>st</sup> St., Wausau
    - Parks Maintenance Shop, 900 Pardee St., Wausau
    - Facilities and Capital Management, 1308 West St., Wausau
    - Marathon County Landfill, 18500 E. Hwy 29, Ringle
    - All Highway Dept. facilities (Wausau, Stratford, Mosinee, Hatley, Abbotsford)
    - University of Wisconsin-Marathon County, 518 S. 7<sup>th</sup> Ave. and 625 Steward Ave., Wausau

- E. Enforcement Responsibility. Consistent with other personnel policy, Department Heads with primary responsibility for operations performed on that site, are delegated responsibility to ensure compliance with this policy.

The County Administrator and the Sheriff share responsibility for ensuring compliance for the Marathon County Courthouse. The County Administrator is responsible for ensuring compliance at the River Drive sites.

- F. Changes. Authority to establish necessary changes governing use of tobacco products in county buildings, structures, grounds and vehicles will be made by the County Administrator based on recommendations from the Marathon County Wellness Team.

- G. Violation-Penalty-Enforcement. Any employee violating any provisions of this policy may be subject to progressive disciplinary action, up to, and including termination of employment.

Non-employee in violation of this policy shall be subject to a forfeiture of not less than \$25.00 nor more than \$50.00 for each violation in accordance with Wisconsin Statutes 101.123.

- H. Smoking Cessation Benefit. To support employees, Marathon County's health insurance plan covers physician's fees and prescriptions or other County approved smoking cessation programs, education or activities undertaken by an employee or covered family member. This is payable at 100 percent with deductible waived up to a \$500.00 aggregate lifetime benefit for these services and charges.