

Resolution # _____

**CALL FOR PUBLIC HEARING FOR CONSIDERATION OF ADOPTION OF
SMOKING AND VAPING IN PUBLIC PLACES ORDINANCE**

WHEREAS, Skagit County Board of Health has the authority to enact local rules and regulations as are necessary in order to preserve, promote and improve the public health pursuant to RCW 70.05.060, and

WHEREAS, extensive medical and scientific research confirms that secondhand smoke is harmful to individuals who smoke and to non-smoking adults and children causing eye, nose and throat irritation, aggravating lung and heart diseases including emphysema and is linked to various kinds of cancers; and

WHEREAS, the Washington State Legislature has recognized the public health impact of secondhand smoke and enacted RCW 70.160, the Washington Clean Indoor Air Act, and the People of the Washington State have revised RCW 70.160 through Initiative 901 to further protect the public from hazardous environmental smoke, which passed by voter approval and became effective in December 2005 as the Smoking in Public Places law; and

WHEREAS, RCW 70.160 empowers local health departments to enforce the duties of owners or persons in control of public places and places of employment to ensure establishments are in compliance with the Smoking in Public Places law; and

WHEREAS, RCW 70.160 authorized local health departments to adopt regulations as required to implement the chapter; and

WHEREAS, vapor products including electronic cigarettes (e-cigarettes) commonly contain nicotine, a highly addictive drug that negatively impacts the developing brain and present a substantial risk of nicotine or other substance addition; and

WHEREAS, e-liquids consumed in vapor products can contain marijuana or THC concentrates and may also be used for the purpose of illegal drug use; and

WHEREAS, the use of vapor products in public places and places of employment complicates enforcement of laws prohibiting use of marijuana in public places and places of employment; and

WHEREAS, Skagit County has experienced a significant increase in youth usage of e-cigarettes and other vapor products; and

WHEREAS, local data shows that 18% of Skagit County twelfth grade students reported past e-cigarette use; and

WHEREAS, Skagit County twelfth graders reported using nicotine in their e-cigarettes 53% of the time, while 21% of twelfth graders reported using THC in their e-cigarettes; and

WHEREAS, the use of vapor products is not harmless and vapor products have not been approved for use as smoking cessation aids by the United States Food and Drug Administration; and

WHEREAS, scientific analysis, including by the United States Food and Drug Administration, the United States Surgeon General, and the National Academies of Sciences, Engineering and Medicine, shows the vapor or aerosol emitted by the use of vapor products contains particles of solvents, flavorings, and chemical byproducts produced in the heating process that may result in adverse health consequences from direct or passive exposure, especially in vulnerable populations such as children, pregnant women, and individuals with compromised lung function or cardiovascular conditions; and

WHEREAS, the lack of regulations prohibiting vaping in public places sends a mixed message to youth, may renormalize the use of nicotine, and may adversely impact the health of both vapor product users and non-users; and

WHEREAS, the Washington State Legislature enacted ESSB 6328 in 2016, establishing RCW 70.345 Vapor Products which regulates the sales and promotion of vapor products, prohibits vaping in certain public places where children congregate, and allows political subdivisions to further regulate the use of vapor products in indoor public places and outdoor public places where children congregate, including, but not limited to, real property under the control of child care facilities or schools, playgrounds, parks, beaches, athletic fields, and stadiums; and

WHEREAS, the majority of public feedback received in Skagit County supports regulation of e-cigarettes and vaping; and

WHEREAS, the quality of individual citizen's health, access to clean air, and benefit to public health and safety are a priority; and

WHEREAS, reduced access and exposure to smoking and vaping for children and youth promotes a healthier environment.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED that a public hearing be held in the Commissioners Hearing Room, County Administration Building, 1800 Continental Place in Mount Vernon, WA on April 9, 2019 at 2:00 pm, where oral and written testimony will be heard for or against the adoption of the Smoking and Vaping in Public Places Ordinance. The Clerk of the Board is hereby directed to publish a notice of public hearing.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND IT IS HEREBY ORDERED that the staff provide a public presentation outlining the components of the attached draft ordinance in the Commissioners Hearing Room, County Administration Building, 1800 Continental Pl., Mount Vernon, Washington on March 12th, 2019 at 10:00am.

DATED this 12th day of March, 2019.

**BOARD OF HEALTH
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board

APPROVED AS TO CONTENT:

Jennifer Johnson, Director
Skagit County Health Department

APPROVED AS TO FORM:

Skagit County Prosecutor's Office