

2026-135
**A Resolution Approving a No Smoking Policy
per Ohio Revised Code (O.R.C.) Section 3794**

The Board of Trustee of Franklin Township, Franklin County, Ohio, met in person in a Regular Meeting at 12:00 p.m. on Thursday, August 6th, 2026, at 2193 Frank Road, Columbus, Ohio. The Trustee marked below made a motion for the adoption of the following resolution:

☐ Trustee Fleshman

☒ Trustee Blevins

☐ Trustee Fuller

WHEREAS the Board of Trustees is committed to providing a safe, healthy, and professional environment for employees and the public; and

WHEREAS the Board recognizes the health risks associated with smoking, vaping, and tobacco use and intends to comply with the Ohio Smoke-Free Workplace Act and other applicable laws.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that:

Revised Policy Adopted. Franklin Township adopts a No Smoking, Vaping, and Tobacco Use Policy, effective immediately replacing the current policy outlined under section BOT 08.08 of the Franklin Township Employee Handbook – Tobacco-Free Workplace. (Exhibit)

New Policy Smoke Free Workplace Act and O.R.C Section 3794. No Smoking, vaping, and the use of tobacco products are prohibited:

- Inside all Township buildings and facilities;
- Within 25 feet of Township entrances, exits, windows, or air intakes;
- In Township-owned or leased vehicles and equipment;
- Any area designated smoke-free by the Board of Trustees.

Applicability. This policy applies to all Township employees, elected officials, volunteers, contractors, vendors, visitors, and members of the public on Township property or conducting Township business.

Enforcement. Employees may be subject to disciplinary action for violations. Visitors, contractors, or vendors may be directed to stop the prohibited conduct or leave Township property.

Administration. The Board of Trustees may administer, interpret, amend, or repeal this policy by future resolution.

BE IT FURTHER RESOLVED that all formal actions of this Board concerning and relating to this Resolution were passed in an open meeting of the Board, and that all deliberations of the Board and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effective immediately upon its adoption.

The following trustee marked below seconded the motion:

☒ Trustee Fleshman

☐ Trustee Blevins

☐ Trustee Fuller

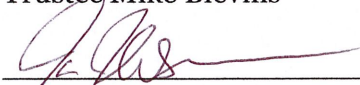
Roll was called for the adoption of the resolution, and the vote was as follows:

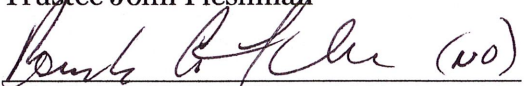
Fleshman: ☒ YES/ ☐ NO

Blevins: ☒ YES/ ☐ NO

Fuller: ☐ YES/ ☒ NO


Trustee Mike Blevins


Trustee John Fleshman


Trustee Brenda Fuller

Adopted on August 6, 2026

BOT 08.08

Revised per Res# 2026-135

SMOKE-FREE WORKPLACE

The Township is committed to providing a healthy work environment for all Township employees. The Board of Trustees recognizes smoking as an addiction. It supports employees who wish to stop (contact EAP for assistance).

Chapter 3794 of the Ohio Revised Code bans smoking in all public places. Smoking / Vaping use is prohibited in all Township places of employment. These include, but are not limited to, offices, meeting rooms, production and storage areas, restrooms, stairways, hallways, warehouses, garages, vehicles, and areas immediately adjacent to entrances and exits of places of employment. This prohibition is in effect without regard to the time of day or the presence of other employees.

The Board of Trustees recognizes that a smoke-free ban can raise issues of where lines get drawn among discrimination, privacy rights, workplace productivity, and employee fairness. Employees can use their lunch periods and break times to take breaks on their own time during the day. Should excessive time be taken, supervisors will discuss the issue with their employees to develop effective solutions that do not interfere with productivity or fairness to all employees.

This policy applies to all smoking products, e.g., cigarettes, cigars, smokeless tobacco, vaping and pipes. Additionally, this policy applies to any electronic smoking device designed to resemble cigarettes, cigars, cigarillos, and pipes. Electronic smoking devices are commonly called “vaping” due to the vapor produced when using the device.



Ohio Revised Code Section 3794.01 Definitions.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

Definitions.

As used in this chapter:

(A) "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated tobacco product or plant product intended for inhalation in any manner or in any form. "Smoking" includes the use of an electronic smoking device and a vapor product. "Smoking" does not include the burning of incense in a religious ceremony.

(B) "Public place" means an enclosed area to which the public is invited or in which the public is permitted and that is not a private residence.

(C) "Place of employment" means an enclosed area under the direct or indirect control of an employer that the employer's employees use for work or any other purpose, including but not limited to, offices, meeting rooms, sales, production and storage areas, restrooms, stairways, hallways, warehouses, garages, and vehicles. An enclosed area as described herein is a place of employment without regard to the time of day or the presence of employees.

(D) "Employee" means a person who is employed by an employer, or who contracts with an employer or third person to perform services for an employer, or who otherwise performs services for an employer for compensation or for no compensation.

(E) "Employer" means the state or any individual, business, association, political subdivision, or other public or private entity, including a nonprofit entity, that employs or contracts for or accepts the provision of services from one or more employees.

(F) "Enclosed Area" means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides



or on all sides but one.

(G) "Proprietor" means an employer, owner, manager, operator, liquor permit holder, or person in charge or control of a public place or place of employment.

(H) "Retail tobacco store" means a retail establishment that derives more than eighty per cent of its gross revenue from the sale of lighted or heated tobacco products and related smoking accessories and in which the sale of other products is merely incidental. "Retail tobacco store" does not include a tobacco department or section of a larger commercial establishment or of any establishment with a liquor permit or of any restaurant.

(I) "Retail vapor store" means a retail establishment that derives more than eighty per cent of its gross revenue from the sale of vapor products, electronic smoking devices, or other electronic smoking product accessories and for which the sale of other products is merely incidental. "Retail vapor store" does not include a section of a larger commercial establishment or of an establishment with a liquor license or that is a restaurant.

(J) "Outdoor patio" means an area that is either: enclosed by a roof or other overhead covering and walls or side coverings on not more than two sides; or has no roof or other overhead covering regardless of the number of walls or other side coverings.

(K) "Vapor product" and "electronic smoking device" have the same meanings as in section 2927.02 of the Revised Code.



Ohio Revised Code

Section 3794.02 Smoking prohibitions.

Effective: December 7, 2006

Legislation: Enacted by Initiative Petition - Issue 5

Smoking Prohibitions.

(A) No proprietor of a public place or place of employment, except as permitted in section 3794.03 of this chapter, shall permit smoking in the public place or place of employment or in the areas directly or indirectly under the control of the proprietor immediately adjacent to locations of ingress or egress to the public place or place of employment.

(B) A proprietor of a public place or place of employment shall ensure that tobacco smoke does not enter any area in which smoking is prohibited under this chapter through entrances, windows, ventilation systems, or other means.

(C) No person or employer shall discharge, refuse to hire, or in any manner retaliate against an individual for exercising any right, including reporting a violation, or performing any obligation under this chapter.

(D) No person shall refuse to immediately discontinue smoking in a public place, place of employment, or establishment, facility or outdoor area declared nonsmoking under section 3794.05 of this chapter when requested to do so by the proprietor or any employee of an employer of the public place, place of employment or establishment, facility or outdoor area.

(E) Lack of intent to violate a provision of this chapter shall not be a defense to a violation.