

FILED  
3:03 pm  
NOV 26 2008  
TASSI O'NEIL  
COUNTY CLERK

THE BOARD OF COUNTY COMMISSIONERS  
FOR THE COUNTY OF TILLAMOOK IN THE STATE OF OREGON

In the Matter of Imposing a 30 Foot ) ORDER  
Non-Smoking Area Around the )  
County Courthouse ) #08- 097

This matter came on to be heard this 26<sup>th</sup> day of November, 2008 at a regular meeting of the Board of Commissioners, at which time it appears that the Tillamook County Management Team, comprised of County department heads and elected officials, has recommended that the Board impose an additional non-smoking area around the County Courthouse.

Being fully apprized of the records and files therein, the Board of Commissioners finds as follows:

1. On December 27, 2000 the Board of Commissioners enacted Tillamook County Ordinance #58 that included provisions prohibiting smoking in public places and places of employment.
2. Ordinance #58 was referred to the voters and on March 13, 2001 was passed by majority vote.
3. Pursuant to Section 10 of Ordinance #58, smoking is prohibited in public buildings and within 10 feet of any entrance to a public building.
4. The Tillamook County Courthouse is a publically owned building subject to Ordinance #58.
5. The proximity of parking lots, sidewalks and other areas where smokers congregate adjacent to the County Courthouse results in the infiltration of cigarette smoke into the Courthouse through open windows during the summer and doorways at other times of the year even though such smoking outside the Courthouse occurs beyond 10 feet from the entrance.
6. ORS 433.850 requires than an employer shall provide a place of employment that is free of tobacco smoke for all employees.

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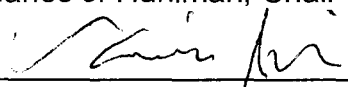
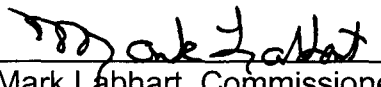
7. There have been complaints of such smoke infiltration by employees within the Courthouse, some of whom have respiratory illnesses.

**NOW, THEREFORE, IT IS HEREBY ORDERED that:**

8. Effective January 1, 2009 there shall be no smoking, as that term is defined in Ordinance #58, within 30 feet, measured perpendicularly, from any outside wall of the Tillamook County Courthouse.

**DATED THIS 26<sup>th</sup> DAY OF NOVEMBER, 2008.**

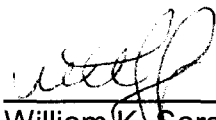
**BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON**

	Aye	Nay	Abstain/Absent
_____ Charles J. Hurliman, Chair			1 ✓
 _____ Tim Josi, Vice-Chair	✓		1
 _____ Mark Labhart, Commissioner	✓		1

**ATTEST:** Tassi O'Neil,  
County Clerk

**BY:**   
Special Deputy

**APPROVED AS TO FORM:**

  
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William K. Sargent, County Counsel

