

---

**Sponsor:** Public Health

**Meeting Date:** 7/12/2022

**Title:** Ramsey County Smoking and Commercial Tobacco Use Ordinance - Adopt the Ordinance

**File Number:** 2022-358

---

**Background and Rationale:**

Public Health, acting in the health interests of both the citizens of the city of Saint Paul and Ramsey County, seeks to reduce commercial tobacco use within the Ramsey County community. Commercial tobacco use is the single most preventable cause of death and disease. Long-term commercial tobacco use is directly related to many illnesses, including lung, oral and pharyngeal cancer and heart and lung diseases. In Ramsey County, one in eight deaths are commercial tobacco-related and commercial tobacco creates \$262.7 million in excess medical costs and a \$753 tax burden per household. (1)

Commercial tobacco-free policies help ensure all community members have a healthy environment in which to live. These policies help people who are trying to quit by eliminating the sight and smell of commercial tobacco. The Minnesota Clean Indoor Air Act and Ramsey County Clean Indoor Air Ordinance currently prohibit smoking and vaping (e-cigarettes) within virtually all indoor public places, including places of employment, and within 25 feet of entrances, exits, open windows and ventilation intakes of these locations. The Ramsey County Smoking and Commercial Tobacco Use Ordinance would expand upon the Minnesota Clean Indoor Air Act and Ramsey County Clean Indoor Air Ordinance to prohibit all commercial tobacco products on all property that is owned, leased, rented, contracted or otherwise used or controlled by Ramsey County, including indoor and outdoor spaces. This expansion of the current policy can be justified by the following:

Secondhand smoke can harm health both indoors and outdoors and smokeless commercial tobacco is not a safe alternative:

- There is no safe level of exposure to secondhand smoke and smoke and vape-free environments protect the Ramsey County community from secondhand smoke. (2)
- Secondhand smoke levels in outdoor locations can reach levels comparable to indoor levels where smoking is permitted. (3,4,5)
- Commercial tobacco smoke contains over 7,000 chemicals and is a common trigger for asthma attacks. People with asthma, respiratory conditions or heart disease can face serious health problems from even a brief exposure to secondhand smoke, both indoors and outdoors. (6)
- E-cigarette aerosol, commonly known as vapor, contains nicotine, carcinogens and metals, such as nickel and chromium, that can exceed those associated with conventional secondhand smoke.
- Evidence continues to build that exposure to vapor, including secondhand exposure, has immediate impacts on the human respiratory and cardiovascular systems and thus likely poses a risk to human health. (7)
- Secondhand smoke odor is detectable up to 23 feet from its source and irritation levels began around 13 feet from the source. Anyone positioned downwind from an outdoor source of secondhand smoke will be exposed, even at significant distances from the source. (8)
- Smokeless commercial tobacco causes nicotine addiction and death and disease including

many types of cancer and increased risk for heart disease and stroke. (9)

Policies that prohibit commercial tobacco use help prevent commercial tobacco exposure and use in youth and young adults:

- Evidence supports that the establishment of smoke-free public and workplace environments reduces the initiation, prevalence and intensity of smoking among youth and young adults. (9)
- Lower smoking rates are an effect of the lower visibility of role models who use commercial tobacco, fewer opportunities to smoke and reduced social acceptability and social advantage for smoking. (10)
- Vaping is a serious threat to young people's health. The 2020 Minnesota Youth Tobacco Survey found that one in five high school students use e-cigarettes and 70% of high school and middle school users report signs of nicotine dependence. (11)

Commercial tobacco use and exposure harm the health of vulnerable and disproportionately impacted populations:

- Eliminating locations where commercial tobacco use is allowed will help reduce health disparities and inequities experienced by racially and ethnically diverse communities, low-income communities and other marginalized communities.
- African Americans, American Indians, two-spirit, lesbian, gay, bisexual, transgender and queer (2SLGBTQ+) individuals, women, youth, low-income populations and other systemically marginalized communities are disproportionately impacted by the harms of commercial tobacco and targeted by the commercial tobacco industry.
- Commercial tobacco use is a major contributor to the three leading causes of death among African Americans - heart disease, cancer, and stroke. (12)
- Both commercial tobacco-related cancer incidence and death rates are higher for African Americans than other racial/ethnic groups. (13)
- In Minnesota, 59% of American Indian adult's smoke commercial tobacco, compared to 14.5% of Minnesota's overall adult population. (14)
- Lung cancer is also the leading cause of cancer death for Minnesota's American Indian community. (15)
- Lower-income populations have less access to health care, making it more likely that they are diagnosed at later stages of diseases and conditions. (16)
- 2SLGBTQ+ individuals are less likely to have health insurance than straight individuals, which may negatively affect health as well as access to cessation treatments, including counseling and medication. (17)

Waste from commercial tobacco products that can harm human and animal health and the environment:

- Cigarette butts are a very common form of litter found in parks and recreation areas. Discarded cigarettes contain arsenic, lead and other toxic chemicals that pollute the land and water and may be ingested by toddlers, pets, birds, or fish. (18)
- E-cigarette-related waste is potentially a more serious environmental threat than cigarette butts because it contains metal, circuitry, single-use plastic cartridges, batteries, lead, mercury and toxic chemicals in e-liquids. (19)
- Litter from commercial tobacco products impacts valuable maintenance resources to clean-up.

As of February 2022, at least 27 local governments in Minnesota, including 20 cities and five counties, have enacted ordinances that prohibit or restrict smoking and/or the use of commercial

tobacco products in specified outdoor areas, and three counties (Blue Earth, Redwood and Hennepin) have adopted policies that prohibit smoking and the use of all commercial tobacco products, including electronic delivery devices, by all persons in and on all property that the counties have authority to control. The Ramsey County Smoking and Commercial Tobacco Use Ordinance would align Ramsey County with best practices in reducing commercial tobacco use.

The Ramsey County Board of Commissioners has previously taken actions to regulate commercial tobacco use to promote public health and community well-being as additional data and information about the harmful effects of smoking have emerged. This includes adoption of the Ramsey County Clean Indoor Air Ordinance in 2015 and the Ramsey County Menthol Resolution in 2017.

The Ramsey County Home Rule Charter section 5.01.A.1 requires that certain acts of the Ramsey County Board shall be by ordinance, including: "Establish, structure, merge or abolish any county department, office, agenda, board or commissions, except as provided for in this charter."

**Recommendation:**

The Ramsey County Board of Commissioners resolved to:

Adopt the Ramsey County Smoking and Commercial Tobacco Use Ordinance.

A motion to approve was made by Commissioner Ortega, seconded by Commissioner McDonough. Motion passed.

Aye: - 6: Carter, MatasCastillo, McDonough, McGuire, Ortega, and Reinhardt

Absent: - 1: Frethem

By:   
\_\_\_\_\_

Mee Cheng, Chief Clerk - County Board