

Resolution 2010-05

January 25, 2010

Adoption of a No-Smoking Policy inside all LDCHA Owned Units
where Medical Oxygen is in Use or Present

Whereas smoking is a danger to life and property; and

Whereas smoking in the presence of oxygen increases the risk of fire; and

Whereas the City of Lawrence Fire Codes recognizes this increased risk by identifying Medical oxygen as a fire accelerant; and

Whereas the medical community also identifies the increased risk of fire in the presence of medical oxygen by posting no smoking signs in places where medical oxygen is in use; and

Whereas the Lawrence-Douglas County Housing Authority has direct experience with a fire that was caused by smoking in a unit where medical oxygen was in use; therefore,

The Lawrence-Douglas County Housing Commission adopts a policy prohibiting all smoking by tenants, family members, and guests inside any unit and/or building owned by the Lawrence-Douglas County Housing Authority where medical oxygen is present or in use. Smoking may take place outside the building or unit but at no time may smoking take place where medical oxygen is present or in use. An individual attached to an oxygen tube is considered to be "on oxygen" whether or not the tube is attached to the oxygen source.

The following properties are governed by this policy: Edgewood Homes, Babcock Place, Peterson Acres I and II, Clinton Place, and the 94 scattered site units, located throughout the city of Lawrence. This policy will apply to any property constructed or acquired after this date.

This policy shall become effective April 1, 2010.

The LDCHA staff shall develop and execute a lease addendum implementing this policy and shall at the same time revise the public housing, Peterson Acres II and Clinton Place leases adding this new policy statement. This policy shall be enforced in accordance with the agency's Methods of Administration "three strikes" policy governing lease violations and evictions.

The presence of ashtrays, cigarettes, cigars or tobacco, or ashes from same, smoke smell, or smoke film on walls and windows, or witnessing smoking in units governed by this policy shall be considered violations of this policy and shall subject the tenant to lease enforcement action.