

CHAPTER 2

TOBACCO FREE ORDINANCE

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2.01 Purpose. The purpose of this ordinance is to promote the health and welfare of the public and employees on county property.

2.02 Authority. This ordinance is created pursuant to the authority granted to the County under Section 101.123(2)(c) of the Wisconsin Statutes (Wisconsin Clean Indoor Air Law).

2.03 Definitions. The following definitions shall be applicable in this Chapter:

- (1) *Smoking* means the use, possession or holding of a lighted cigar, cigarette, pipe or any other lighted smoking item or equipment.
- (2) *Smokeless tobacco products* means snuff; plug and twist tobacco; fine-cut and other chewing tobaccos; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.

- 2.04 Regulation of Tobacco Use.**
- (1) No person may smoke indoors at any time in any county-owned, rented or leased building.
 - (2) No person may smoke at any time inside of any county-owned, rented or leased vehicle.
 - (3) No person may smoke on county property/grounds.
 - (4) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time in any county-owned, rented or leased building.

(5) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time inside of any county-owned, rented or leased vehicle.

(6) No person may place, maintain or chew, within their mouth, smokeless tobacco products at any time on county property/grounds.

(7) In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply.

2.05 Exemption from Smoking Prohibition.

(1) The following grounds are exempt from the prohibitions of this ordinance:

- (a) The Vilas County Fairgrounds.
- (b) Vilas County forests.
- (c) Vilas County outdoor recreation areas/parks/campgrounds.

2.06 Penalty. (1) Any person found guilty of violating this Ordinance or any part of this Ordinance shall be subject to a forfeiture of \$25.00 for each violation plus applicable court costs, plus the cost of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.

(2) Any person, firm, or corporation violating any of the subsections of this ordinance may stipulate to guilt or no contest and may pay to the Clerk of Court a bond according to a schedule established by ordinance. Such stipulation will make it unnecessary for the subject charged to appear in court, and will act as a basis for the court to enter judgment and order forfeiture of the bond.

(3) Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Vilas County Circuit Court who shall provide a receipt therefore. The amount of the bond is hereby affixed at \$10.00 plus applicable statutory surcharges and assessments.

2.07 Notification to the Public. (1) The person in charge of each county building or his or her designee shall cause to be posted at the entryway of each county building, signs notifying the

public of the fact that the building is a smoke-free building. Absence of such sign, however, shall not be a defense to the violation of this ordinance.

(2) The person in charge of each county building or his or her designee shall cause to be posted on the property around such building notices limiting smoking to designated areas, if the Public Property Committee has established designated smoking areas applicable to the grounds of that specific building.

2.08 Enforcement. Enforcement shall be as provided in Chapter 25, section 25.04, of this General Code.