

**AN ORDINANCE CREATING SECTION 2.14 OF
THE GENERAL ORDINANCES OF THE VILLAGE OF
OOSTBURG, SHEBOYGAN COUNTY, WISCONSIN
REGULATING SMOKING IN VILLAGE OWNED BUILDINGS AND VEHICLES**

WHEREAS, regulation of smoking in Village of Oostburg owned buildings and vehicles is a matter of importance to the Village; and

WHEREAS, the proper regulation of smoking in village owned buildings and vehicles helps to ensure the health, safety and welfare of the general public;

NOW, THEREFORE, the Village Board of the Village of Oostburg does hereby ordain as follows:

**Section 2.14 of the Village of Oostburg General Ordinances Regulating
Smoking in Buildings and Vehicles Owned or Leased by the Village of Oostburg.**

(a) *Definition.* For the purpose of this section, "smoking" shall mean to smoke or carry a lighted pipe, cigar, cigarette or tobacco-related product of any form.

(b) *Public buildings.* No person shall smoke in any village-owned or leased public building or within 25 feet of a main entrance thereof at any time, including, but not limited to, the following:

- (1) Municipal office, 927 Center Avenue.
- (2) Department of Public Works/Fire Department/Ambulance, 1118 Superior Avenue,
- (3) Wastewater Treatment Facility, 816 N 10th Street.
- (4) Public Library/Civic Center, 213 N 8th Street.

(c) *Motor Vehicles.* No person shall smoke in any village owned or leased motor vehicle.

(d) *Village Board Meetings.* No person shall smoke while in attendance at any public meeting of the village board or in any of its authorized committees regardless of the location of the meeting.

(e) *General areas.* No person shall smoke in any of the following places:

- (1) Common areas of buildings which contain rental units owned by the Village of Oostburg;
- (2) Public rest rooms located on or in village property;

(f) *Smoking paraphernalia.* Ashtrays, cigarette machines and other smoking paraphernalia shall not be placed in non-smoking areas.

(g) *Notification signs:*

(1) Signs prohibited smoking shall be posted conspicuously at every entrance and in prominent locations throughout the premises by the Department of Public Works.

(2) It shall be unlawful for any person to remove, deface or destroy any legally required "No Smoking" sign or to smoke in any place where any such sign is posted.

(h) *Penalties.* Any person who violates the provisions of this section shall be subject to a forfeiture of not less than \$100.00 nor more than \$1,000.00, together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 80 days. Second and subsequent convictions under this section within 12-month period shall result in forfeitures of not less than \$200.00, nor more than \$1,000.00, together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 80 days.

This Ordinance shall take effect upon enactment and publication.

Enacted this 9th day of November, 2009.

VILLAGE OF OOSTBURG

By: _____
Jack E. Hoffmann, President

By: _____
Jill E. Ludens, Clerk/Treasurer

CERTIFICATE OF ENACTMENT

This is to certify that the foregoing Ordinance was duly enacted by the Village Board of the Village of Oostburg on the date indicated above.

Dated: November 9, 2009.

Jill E. Ludens, Clerk/Treasurer
Village of Oostburg