

## **CHAPTER 9 – SMOKING ORDINANCE**

### **9.01 PURPOSE.**

The purpose of this chapter section is to protect the environment and the public health and comfort of the public and county employees by regulating smoking on county property and in county facilities and vehicles under the authority of Section 101.123(4m), Wis. Stats., and Chapter 59, Wis. Stats.

### **9.02 DEFINITIONS.**

As used in this chapter:

- (1) “County facilities” means all buildings owned by Dunn County, including bathrooms and shelters, accessory/maintenance buildings, and the grandstand at the Recreation Park, and includes all areas occupied by Dunn County offices or programs in leased buildings.
- (2) “County parks” means all parks owned by Dunn County, but does not include the Dunn County Recreation Park.
- (3) “Electronic smoking device” means an electronic or battery-operated device that delivers aerosol or vapors for inhalation, including an electronic cigarette, electronic cigar, electronic pipe and all similarly used devices.
- (4) "Smoke" means the gases, particles, aerosol or vapors released into the air as a result of combustion, electrical ignition or vaporization, including from an electronic smoking device, when the purpose of the combustion, electrical ignition or vaporization is human inhalation of the gases, particles or vapors.
- (5) To “smoke” and “smoking” mean to inhale or exhale smoke created by, or to use or possess, a lighted cigarette, a lighted cigar, a lighted pipe or other similar device, or an operating electronic smoking device.

### **9.03 SMOKING PROHIBITED.**

- (1) Except as specifically provided in this chapter, smoking is prohibited:
  - (a) In all county facilities and all vehicles owned, leased, or otherwise operated by Dunn County.
  - (b) In or on all real property owned by Dunn County, including the Recreation Park.
- (2) No area within any county facility shall be designated as a smoking area.

### **9.04 EXCEPTIONS TO SMOKING PROHIBITIONS.**

The prohibitions contained in section 9.03 shall not apply to the following activities and places:

- (1) Smoking in privately owned vehicles on real property owned by Dunn County.
- (2) Outdoor areas in county parks, shooting ranges and campgrounds.

**9.05 VIOLATIONS; PENALTY.**

Any person who violates or refuses to follow any provision of this chapter shall be required to forfeit not less than \$10.00 nor more than \$50.00 for each offense, together with taxable costs of the enforcement action.

Adopted March 18, 2015