

Chapter 430

Tobacco and Tobacco Products

[HISTORY: Adopted by the Village Board of the Village of Campbellsport Ord. No. 240, 1995 (Ch. 20, Art. IX, of the 2008 Code). Amendments noted where applicable.]

§ 430-1 Statutory provisions.

Statutes adopted. The provisions of §§ 254.92, 134.66 and 778.25(1)(a), Wis. Stats., are adopted by reference and incorporated in this chapter..

§ 430-2 Regulation of smoking in places of employment and public places.

[Added 6-14-2010 by Ord. No. 325]

- A. State statutes adopted. The provisions of Wis. Stats. Ch. 101.123 as amended by 2009 Wisconsin Act 12 relating to the prohibition of smoking in various enclosed places are hereby adopted and made part of this Code by reference, in order to protect the health and comfort of the public. Penalties for violation shall be as provided in Subsection **D**.
- B. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

ENCLOSED INDOOR AREA

- (1) A further definition of an enclosed indoor area where smoking is prohibited is hereby adopted, in order to protect the health and comfort of the public.
- (2) "Enclosed indoor area" means all space between a floor and a ceiling that is bounded by walls, doors, or windows, whether open or closed, covering more than 50% of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A 0.011 gauge screen with an 18 by 16 mesh count is not a wall.

PLACE OF EMPLOYMENT

Any indoor place that employees enter carrying out their work duties, such as office, work area, employee lounge, rest room, conference room, meeting room, classroom, elevator, stairway, lobby, common area, vehicle, cafeteria or hallway.

PUBLIC PLACE

Any places open to the public or where the public may be invited.

SMOKING

A cigar, cigarette, pipe or other lighted smoking equipment. Note: E-cigarettes are not included.

- C. Person in charge provisions. A person in charge can't provide matches or ashtrays, must post adequate signage, ask any person violating the law to stop smoking, ask any person violating the law to leave, refuse service to any person violating the law in the case of restaurants, bars, and private clubs and notify law enforcement if the person refuses to comply.

D. Penalties. Forfeiture for a violation of the provisions of this section according to § 1-4 of this code. As prescribed by state statutes, a warning notice shall be issued to the person in charge for the first violation.

Effective Date. This Ordinance shall take effect immediately upon its adoption, approval, and publication. Adopted, recorded and approved this ____ day of _____ 2019.

_____ ATTEST: _____ Campbellspport News Publication Date _____

David Krebs Village President Becky Tellier, Village Clerk