

## **ORDINANCE 2003-1103**

### **PROHIBITION AGAINST SMOKING IN HULL MUNICIPAL BUILDINGS & VEHICLES**

#### **INTRODUCTION**

The Hull Board of the Town of Hull, Portage County do ordain as follows:  
Smoking tobacco or any other weed or plant is a danger to health and well-being and is an annoyance, inconvenience, discomfort and health hazard to those who are present in confined spaces. Smoking indoors adversely affects among other things, the health, safety, comfort and production of Hull employees and other citizens and increases building and maintenance expenses. Therefore smoking shall be prohibited in certain restricted areas within the Town of Hull.

#### **AUTHORITY**

This ordinance is enacted pursuant to the authority granted in sec.101.123 Wisconsin Statutes (2001-2002).

#### **DEFINITIONS**

“Smoking” means the combustion of any cigar, cigarette, pipe or other lighted item or equipment.

“Restricted Area” refers to places where smoking is prohibited and includes the Hull municipal building and garage, Hull owned vehicles except fire department vehicles, and the fire department’s training/polling room and any Hull owned or operated building except the fire department’s garage.

#### **REGULATION OF SMOKING**

No person shall engage in smoking at any time in any Restricted Area.

#### **PENALTY**

Any person found having violated this ordinance shall be subject to a forfeiture of not more than \$25.00 (twenty-five dollars) together with the costs of prosecution, and, in default of payment thereof, under the contempt authority of the court, shall be incarcerated in the County Jail until such forfeiture is paid, at the rate of one (1) day for each \$25.00 (twenty-five dollars) due and owing.

Any person violating any of the subsections of this ordinance may stipulate to a violation and pay to the Clerk of Courts a bond according to the schedule prescribed in the Code of Ordinances. Such stipulation shall make it unnecessary for the person charged to appear in court and shall act as a basis for the court to enter judgment and order forfeiture of the bond. Forfeitures, penalties, assessments and costs and fees shall be disbursed as provided in sec. 66.0114 Wisconsin Statutes (2001-2002) as may be amended from time to time.

#### **SCHEDULE OF DEPOSITS**

Deposits upon a citation shall be made in cash, money order, or certified check to the Clerk of Portage County Circuit Court who shall provide a receipt thereof.

**ENFORCEMENT**

Deputies of the Portage County Sheriff's Department are hereby authorized to issue citations for violations of this ordinance. Prosecutions under this ordinance shall be made by the issuance of citations and the procedure to be followed shall be governed by sec. 66.0113, Wisconsin Statutes (2001-2002).

**PUBLIC NOTIFICATION**

Town officials charged with supervision of buildings shall cause signage to be posted at entryways notifying all persons that the building is a no smoking area. Town officials charged with supervision of vehicles shall ensure that all drivers and passengers are notified of this policy as well. Absence of signage by itself shall not constitute a defense to prosecution under this ordinance.

Adopted by Hull Board of Supervisors

Date: 11/03/2003

John W Holdridge, Town Chairperson

Published: 11/14/2003

Attest: Janet R Wolle, Town Clerk