



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 52054

File ID: 52054

File Type: Ordinance

Status: Items Referred

Version: 1

Reference:

Controlling Body: BOARD OF
HEALTH FOR
MADISON AND
DANE COUNTY

File Created Date : 06/12/2018

File Name: Prohibit smoking within 25 feet of City-owned building

Final Action:

Title: Amending Section 23.05(4) of the Madison General Ordinances to prohibit smoking within 25 feet of any City owned building and amending Section 23.05(1) to hyphenate the term "smokefree."

Notes: 6081smoking

Sponsors: Sara Eskrich and Matthew J. Phair

Effective Date:

Attachments:

Enactment Number:

Author: Marci Paulsen

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	06/12/2018	Referred for Introduction				
	Action Text:		This Ordinance was Referred for Introduction				
	Notes:		Board of Health Madison and Dane County				
1	COMMON COUNCIL	06/19/2018	Refer	BOARD OF HEALTH FOR MADISON AND DANE COUNTY			Pass
	Action Text:		A motion was made by Baldeh, seconded by Carter, to Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY. The motion passed by voice vote/other.				
	Notes:						
1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	07/12/2018					

Text of Legislative File 52054

Fiscal Note

The proposed ordinance prohibits smoking within 25 feet of any entrance, outdoor air intake or operable window of any building owned by the City and removes the requirement that at least

one entrance to every City owned building be designated as smoke-free. Estimated costs for signs related to the change range from \$35 to \$235 per sign depending on the type of installation. It is expected that costs will be absorbed within existing budgets.

Title

Amending Section 23.05(4) of the Madison General Ordinances to prohibit smoking within 25 feet of any City owned building and amending Section 23.05(1) to hyphenate the term "smokefree."

Body

DRAFTER'S ANALYSIS: This ordinance prohibits smoking within 25 feet of any entrance, outdoor air intake or operable window of any building owned by the City. It removes the requirement that at least one entrance to every City owned building be designated as smoke-free. This ordinance also hyphenates the term "smokefree."

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (4) entitled "Prohibition of Smoking in Outdoor Areas" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is amended to read as follows:

- "(4) Prohibition of Smoking in Outdoor Areas. It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas.
- (a) Outside the City-County Building:
 - 1. Between the public sidewalk and the Martin Luther King, Jr. Boulevard side of the building including but not limited to the entrance steps, the planters, and all cement areas adjacent to the building;
 - 2. Between the public sidewalk and the West Wilson Street side of the building, including but not limited to the entrance steps, the planters, and all cement areas adjacent to the building.
 - (b) Within twenty-five (25) feet of any entrance, outdoor air intake or operable window of ~~the Madison Downtown Public Library, known as the Central Library~~ any building owned by the City.
 - ~~(c) In addition to Subdivisions (a) and (b), outside at least one entrance to all City buildings.~~
 - ~~1. Within forty five (45) days of adoption of this subdivision, all current employees of each City building shall designate, by majority vote, which entrance(s) shall be smokefree.~~
 - ~~2. No more than one entrance may be designated as a smoking area.~~
 - ~~3. This subsection shall be effective sixty (60) days after publication.~~
 - (d) City parks and beaches as posted and so designated by the Park Commission.
 - (e) Within five (5) feet of all entrances to City parking garages.
 - (f) On Henry Vilas Zoo property, including all of the buildings.

2. Subdivision entitled "Smokefree" of Subsection (1) entitled "Definitions" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is amended to read as follows:

"Smoke-free" means absence from the ambient air of the smoke by-product from the burning, inhaling, exhaling, or carrying of a lighted cigarette, cigar, pipe, weed, plant, or other combustible substance in any manner in any form."

3. The City Attorney is directed to make corresponding changes to other City ordinances to reflect this updated term.