

**ORDINANCE No. 2003-02**

**AN ORDINANCE TO MAINTAIN A SMOKE-FREE ENVIRONMENT FOR THE VILLAGE OF COLEMAN FACILITIES AND VEHICLES**

*The Village Board of the Village of Coleman, Marinette County, Wisconsin does hereby ordain as follows:*

**SECTION 1.** The purpose of this ordinance is to protect the public health and welfare by prohibiting smoking in all facilities and vehicles owned by the Village of Coleman, including, but not limited to the village municipal building, the fire department building and vehicles, the wastewater treatment plant buildings, the public utility truck, the public works truck, the police car, and any other properties owned by the Village of Coleman.

**SECTION 2.** The Village of Coleman does hereby find that:

WHEREAS numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease in healthy non-smokers;

AND WHEREAS, the Americans With Disabilities Act, requires that disabled persons have access to public places and workplaces;

AND WHEREAS, the U.S. Surgeon General has determined that the simple separation of non-smokers within the same air space may reduce, but does not eliminate the exposure of non-smokers to secondhand smoke;

NOW THEREFORE, the Village of Coleman does hereby declare that the Village of Coleman Facilities and Vehicles are deemed to be "smoke-free".

**SECTION 3.** If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance shall be held to be severable.

**SECTION 4.** Any person who smokes in an area where smoking is prohibited by the provisions of this policy shall be guilty of an infraction, punishable by:

1. A fine not less than \$25 nor more than \$100 for a first violation.
2. A fine not less than \$100 nor more than \$200 for the second violation.
3. A fine not less than \$200 nor more than \$500 for each additional violation.

Additionally, Village of Coleman employees found violating this ordinance will receive discipline as per their Employment Agreement.

**SECTION 5.** This ordinance shall be effective upon passage and posting as required by law.

Approved and adopted this 8<sup>th</sup> day of December, 2003.

  
Glenn A. Wouff, Village President

  
Bev Noffke, Village Clerk

Publication Date: 12-10-03