

CHAPTER 32

SMOKING AND TOBACCO USE ON COUNTY PROPERTY

32.01 Authority. This ordinance is adopted pursuant to the authority granted by Wisconsin Statutes §101.123 (4m).

32.02 Purpose. To protect the health and workplace environment of County employees and the general public by regulating smoking and other tobacco use on all County government property including County buildings, County-owned parks, the fairgrounds and County-owned motor vehicles and equipment.

32.03 Definitions.

- (A) County Government Property All property owned by St. Croix County, including County buildings; County buildings leased to other entities; County-owned parks including bathrooms, shelters, accessory and maintenance buildings; the fairgrounds and its' buildings in Glenwood City; County-owned motor vehicles and equipment; and all County leased properties, buildings, motor vehicles and equipment.
- (B) County Parks All recreational areas owned by St. Croix County:
- (1) Glen Hills Park
 - (2) Homestead Parklands on Perch Lake
 - (3) Troy Beach
 - (4) Pine Lake Park
 - (5) Apple River Property
 - (6) Bass Lake Boat Landing
 - (7) Squaw Lake Boat Landing
 - (8) Stanton Forest
 - (9) Kinnickinnic Forest
 - (10) Wildwood Trail
- (C) Electronic Smoking Device Any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor. The term shall not include inhalable smoking cessation devices prescribed by a physician.
- (D) Smoke 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.

- (E) Smoking Burning, inhaling or exhaling smoke or vapor from, any of the following items:
 - (1) A lighted cigar
 - (2) A lighted cigarette
 - (3) A lighted pipe
 - (4) Any other lighted smoking equipment
 - (5) An electronic smoking device, without a valid prescription
- (F) Smokeless Tobacco Tobacco that is not smoked but used in another form such as chewing tobacco or snuff.
- (G) Tobacco Product Any form of tobacco prepared in a manner suitable for smoking but not including a cigarette.

32.04 Smoking and Smokeless Tobacco Prohibited.

- (A) Except as specifically provided in this chapter, smoking and smokeless tobacco are prohibited in and on all St. Croix County Government property and all County leased properties, buildings, motor vehicles and equipment.
- (B) No area within any County Government facility shall be designated as a smoking area.

32.05 Exceptions. The prohibitions contained in section 32.04 shall not apply to the following:

- (A) Smoking in privately owned motor vehicles on real property owned by St. Croix County.
- (B) Jurors may smoke in a designated outdoor area in the presence of a bailiff.
- (C) Designated outdoor areas at the following County Government buildings:
 - (1) Government Center (including Sheriff's Office and Jail/Huber) – Hudson
 - (2) Services Center – New Richmond
 - (3) Health Center – New Richmond
 - (4) Agricultural Center – Baldwin
 - (5) Highway Department – Hammond (including shops located throughout the County)
- (D) Outdoor areas in County-owned parks, fairgrounds and County park campgrounds.

32.06 Penalty. Violation of any provision of this chapter shall result in a forfeiture of \$100 for the first offense and \$200 for the second and any subsequent offense, plus statutory costs and fees.

32.07 Enforcement. This chapter may be enforced by the issuance of a citation by officials or designees of officials authorized to issue smoking and smokeless tobacco citations.

32.08 References to Statutes. References to specific statutory sections wherever used in this ordinance shall mean the most current Wisconsin Statutes, and any future amendments, revisions or modifications thereof which are expressly incorporated herein.

32.09 Effective Date. This ordinance shall be effective upon passage and publication.

Ordinance No. 857 (2017) – August, 2017