

ORDINANCE NO. 2016-09

AN ORDINANCE CREATING SECTION 31.41, SMOKING PROHIBITED WITHIN AND UPON ALL VILLAGE PARKLANDS AND TRAILS, CHAPTER 31, OFFENSES AGAINST PUBLIC PEACE, SAFETY AND MORALS OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SEC. 31.41, SMOKING PROHIBITED WITHIN AND UPON ALL VILLAGE PARKLANDS AND TRAILS OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE BE CREATED TO READ AS FOLLOWS:

SECTION 1. SEC. 31.41, SMOKING PROHIBITED WITHIN AND UPON ALL VILLAGE PARKLANDS AND TRAILS.

- (1) PURPOSE.
 - (a) The purpose of this section is to protect the health, welfare, and safety of the public and to reduce littering upon public grounds by prohibiting the use of smoking related products and electronic smoking devices within and upon all village public parklands and trails.
- (2) DEFINITIONS. The following terms, whenever used in this section, shall have the meanings set forth below:
 - (a) Smoking Related Products. All items that produce smoke that may be inhaled or ingested including, but not limited to, cigarettes, cigars, and pipes.
 - (b) Electronic Smoking Devices. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. E-cigarettes shall include any product containing or delivering nicotine or any other substance intended for human consumption that can be used by persons to simulate smoking through inhalation of vapor or aerosol from the product.
 - (c) Public Parklands and Trails. All public parks, parkways, trails, or other lands owned by or leased to the Village of Allouez for recreational purposes.

(3) SMOKING PROHIBITED.

- (a) The use of smoking related products and electronic smoking devices shall be prohibited on all Village public parklands and trails.

(4) PENALTY.

Any person violating the provisions of Sec. 31.41, shall be subject to the penalties imposed by Section 1.05 of the Allouez Village Code.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Dated this _____ day of _____, 2016.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk

DATE OF PUBLICATION:
