

**ORDINANCE TO
AMEND SECTION 410-56(A) SMOKING IN PROHIBITED PLACES, OF
THE CITY OF WATERTOWN GENERAL ORDINANCES**

**SPONSOR: XXXXXXXXXXXX
FROM: XXXXXXXXXXXXXXXX**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 410-56(A), Smoking in Prohibited Places is hereby amended to read and include as follows:

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

(1) DESIGNATED AREA

- (a) An area designated by Park, Recreation, & Forestry Commission within each public park where smoking is permitted and which shall meet the following criteria:
 - a. The designated area must be clearly designated and marked with smoking permitted signs.
 - b. The area must be at least 20 feet from any picnic areas, sports fields or improvements used for recreational activity, food vendors, lines for recreational activities in the recreational area, any structure or any heating and air condition intakes or vents.
 - c. The area cannot be capable of being completely enclosed.
 - d. The agreement or special event permit between the City and a private entity permits the designation of a smoking area.

(2) PERSON IN CHARGE

- (a) The person, or his or her agent, who ultimately controls, governs or directs the activities aboard a public conveyance or at a location where smoking is prohibited or regulated under this section.

(3) PROHIBITED PLACE

- (a) Any place or location in the City of Watertown as described in § 101.123(2)(a), (d) and (e), Wis. Stats.
- (b) Within a City Park, unless within a Designated Area.

(4) SMOKING

(a+) "Smoking" includes burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:

- (ia) A lighted cigar.
- (iib) A lighted cigarette.
- (iiie) A lighted pipe.
- (ivd) Any other lighted smoking equipment.

(b2) "Smoking" also includes using an electronic smoking device. "Electronic smoking device" means an electronic device that can be used to deliver an inhaled dose of nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. It includes any such device whether manufactured, distributed, marketed or sold as an electronic cigarette, commonly known as e-cigarettes; an electronic cigar; an electronic cigarillo; an electronic pipe; an electronic hookah; vape pen; or any other product name or descriptor.

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force March 1st 2024.

DATE:				
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
VACANT				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

ADOPTED _____

CITY CLERK

APPROVED _____

MAYOR