

Ordinance 090407-01

An Ordinance to amend Section 42-122 of the municipal code to create additional areas of No Smoking within the Village of Fontana on Geneva Lake

Section I. Section 42-122 of the Municipal code shall be amended to read as follows:
Sec. 42-122. Use of Cigarettes, Tobacco products.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Smoke or smoking means the act of burning any tobacco product, weed, filler or plant of any kind in a cigarette, cigar, pipe or in any other device.

(b) *State law adopted by reference.* The provisions of § 938.983, Wis. Stats., relating to the use of cigarettes and tobacco products, are adopted as a portion of this section except as otherwise lawfully provided by ordinance.

(c) *Smoking prohibition, Little Foot Playground and the Municipal Beach*

(1) The board recognizes the right and need for those who wish to breathe smoke free air and finds and declares that the smoke of tobacco, tobacco-related products and tobacco substitutes, fillers and other plants or weeds is a hazard to the health of the general public. ~~Furthermore, the board recognizes the danger presented by the smoking and the burning of tobacco, tobacco-related products and tobacco substitutes, fillers and other plants or weeds to the wood chip bedding and wood constructed playground equipment locate in Little Foot Playground.~~ Accordingly, it has been determined that the health, safety and welfare of the residents of the village would be furthered by the regulation of smoking in Little Foot Playground and the Municipal Beach, which includes all the land from the intersection of Lake St and Fontana Blvd to Harvard Ave.

(2) No person shall smoke or carry any lighted cigarette, cigar or pipe or other smoking device anywhere within the Little Foot Playground or on the Municipal Beach, which includes all the land from the intersection of Lake St and Fontana Blvd to Harvard Ave in the village.


(3) Signs shall be clearly and conspicuously posted in and around Little Foot Playground and on the Municipal Beach stating the smoking prohibition set forth in this section. All such signs shall recite the phrase "NO SMOKING" and cite to this section.
(Code 1989, §§ 10.315, 10.316)

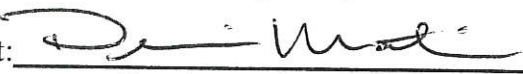
SECTION II. EFFECTIVE DATE.

This Ordinance shall take effect upon adoption and publication or, if a later effective date is required by law, upon the earliest date allowed by law.

The above and foregoing Ordinance was duly adopted by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin on the 4th day of September, 2007.

VILLAGE OF FONTANA-ON-GENEVA LAKE

By: 
Ron Pollitt, Village President

Attest: 
Dennis Martin, Village Clerk