

Chapter 11 – HEALTH AND SANITATION

INDEX

Section	Page
11.01 – Board of Health, Power and Duties	1
11.02 – Health Officer	1
11.03 – Rules and Regulations	1
11.04 – Health Nuisances, Abatement	1
11.05 – Communicable Diseases	1
11.06 – Sewer and Water Connections	1
11.07 – Garbage and Rubbish Collection	2
11.08 – Illegal Dumping Prohibited	4
11.09 – Penalty	4
11.10 – Prohibited Discharges	4
11.11 – Prohibition Against Smoking in City Buildings and Vehicles	5
11.12 – Purchase or Possession of Cigarettes or Other Tobacco Products by Person Under 18 Years of Age Prohibited	5
11.13 – Statewide Smoking Ban	6

11.01 (BOARD OF HEALTH; POWERS AND DUTIES)

The Board of Health of the City shall assume the general administration of health and sanitation laws and regulations in the City, supervise the work of the Health Officer and attend to the administration and enforcement of the health laws of the state and the rules and regulations prescribed by the State Department of Health and Social Services and the ordinances of the City.

11.02 (HEALTH OFFICER)

- (1) **POWERS AND DUTIES.** The Health Officer, under the supervision of the District State Health Officer shall:
- (a) Maintain continuous sanitary supervision over his territory.
 - (b) Promote the spread of information as to the causes, nature and prevention of prevalent diseases and the preservation and improvement of health.
 - (c) Enforce the health laws, rules and regulations of the State Department of Health and Social Services, the State and the City, including laws relating to contagious diseases contained in Ch. 143, Wis. Stats.
 - (d) Keep and deliver to his successor a record of all his official acts.
 - (e) Make reports to the State Department of Health and Social Services and to the Council as they may request.

- (2) **MATERIALS AND SUPPLIES.** The Health Officer may procure, at the expense of the City, all record books, quarantine cards and other material needed by the Board of Health, except such as are furnished by the State Department of Health and Social Services.

11.03 (RULES AND REGULATIONS)

The Health Officer and the Board of Health may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention of health nuisances and the protection of the public health and welfare and may, where appropriate, require the issuance of licenses and permits. All such requirements, when approved by the Council shall have the same effect as ordinances, and any person violating any of such regulations and any lawful order of the Board of Health shall be subject to a penalty as provided in sec. 25.04 of this Code.

11.04 (HEALTH NUISANCES, ABATEMENT)

The Health Officer or the Board of Health may abate health nuisances in accordance with 146.14, Wis. Stats., which is adopted by reference and made a part of this chapter as if fully set forth herein.

11.05 (COMMUNICABLE DISEASES)

Chapter 143, Wis. Stats., and Wis. Adm. Code H45 are adopted by reference and made a part of this chapter and the Health Officer shall enforce the provisions thereof.

11.06 (SEWER AND WATER CONNECTIONS)

(1) REQUIRED. Whenever City sewer and water mains are made available to any building used for human habitation within the City, the owner of such building shall connect all building sewer and water facilities to the City sewer and water mains within 90 days.

(2) HEALTH OFFICER CONNECTION ORDERS. If a building owner does not make sewer and water connections as provided in sub. (1) above, the Health Officer shall serve the owner with a written order to make such connections within 10 days.

(3) CONNECTION BY CITY. In the event a building owner does not comply with the order set forth in sub. (2) above, the City shall make such connection as provided in 144.06, Wis. Stats., and the cost thereof shall be assessed against the property as a special charge, pursuant to 66.60(16), Wis. Stats.

11.07 (GARBAGE AND RUBBISH COLLECTION)¹

(1) PURPOSE. The purpose of this ordinance is to promote recycling, composting, and responsible solid waste management through the administration of a comprehensive solid waste program as mandated by Chapter 287, Wisconsin Statutes.

(2) STATUTORY AUTHORITY. This ordinance is adopted as authorized under s. 287.09(3) (b) Wisconsin Statutes.

(3) ADMINISTRATION. The provisions of this ordinance shall be administered by the City of Prairie du Chien Board of Public Works and its designated agents. By reference, the Prairie du Chien Recycling Guide is made part of this section.

(4) ABROGATION AND GREATER RESTRICTIONS. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

(5) INTERPRETATION. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wisconsin Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

(6) SEVERABILITY. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(7) APPLICABILITY. The requirements of this ordinance apply to all persons within the City of Prairie du Chien, Wisconsin.

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

(a) "Aluminum container" means a container for food and beverages that is made of aluminum.

(b) "Bi-metal container" means a container for food and beverages that is made primarily of a combination of steel and aluminum.

(c) "City-serviced dwellings" means single-family dwellings and multi-family dwellings of three or fewer residential units.

(d) "Collection containers" mean 96-gallon wheeled totes provided by the Contractor.

(e) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.

(f) "Contractor" means the person solely licensed by the City of Prairie du Chien for the curbside collection and disposal of solid waste, recyclable materials, and yard waste generated from City-serviced dwellings.

¹ Chapter 11.07 - Amended by Ordinance 90-8

- (g) "Curbside recyclable materials" mean aluminum containers; corrugated paper or other container board; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; and bi-metal containers.
- (h) "Electronics" mean any electronic device banned from landfilling in Wisconsin including cell phones; computers – desktop, laptop, netbook, tablet; computer monitors; computer keyboards and mice; computer scanners; computer speakers; desktop printers including those that fax and scan; DVD players, VCRs, DVRs, and all other video players; external hard drives; fax machines; flash drives/USBs; other items that plug into a computer; and televisions.
- (i) "Glass container" means a glass bottle, jar or other packaging container of any color in which food or beverages are sold and does not include ceramic cups, dishes, oven ware, plate glass, mirrors, safety and window glass, heat resistant glass such as pyrex, lead based glass such as crystal, light bulbs, or TV tubes.
- (j) "HDPE" means high density polyethylene, labeled by the SPI code #2.
- (k) "LDPE" means low density polyethylene, labeled by the SPI code #4.
- (l) "Lead acid battery" means any automotive battery.
- (m) "Magazines" means magazines and other materials printed on similar paper.
- (n) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- (o) "Multiple-family dwelling" means a property containing 2 or more residential units, including those which are occupied seasonally.
- (p) "Newspaper" means a newspaper and other materials printed on newsprint.
- (q) "Non-residential facilities and properties" mean commercial, retail, industrial, institutional and government facilities and properties. This term does not include multiple family dwellings.
- (r) "Office paper" means high grade printing and writing papers. Printed white ledger and computer printout are examples of office paper generally accepted as high grade.
- (s) "Other resins or multiple resins" mean plastic resins labeled by the SPI code #7.
- (t) "Person" includes any individual, corporation, company, firm, partnership, association, or local government unit as defined in s. 66.0131(1) (a) Wisconsin Statutes, state agency or authority or federal agency.
- (u) "PETE or PET" means polyethylene terephthalate, labeled by the SPI code #1.
- (v) "Plastic container" means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.
- (w) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in s. 291.01(7) Wisconsin Statutes., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste as defined in s. 289.01(17) Wisconsin Statutes.
- (x) "PP" means polypropylene, labeled by the SPI code #5.
- (y) "PS" means polystyrene, labeled by the SPI code #6.
- (z) "PVC" means polyvinyl chloride, labeled by the SPI code #3.
- (aa) "Recyclable materials" include lead acid batteries; electronics; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; bi-metal containers; and any other materials designated by the City in the Prairie du Chien Recycling Guide.
- (ab) "Refuse" means household solid waste excluding recyclable materials.
- (ac) "Scavenging" means the act of rummaging or sorting through refuse, recyclables, or other waste placed for collection with the intent of removing items or materials without the consent of the property owner, designated agent, occupant, tenant of the premises, or the City.
- (ad) "Solid waste" has the meaning specified in s. 289.01(33) Wisconsin Statutes.
- (ae) "Steel container" means a steel food or beverage container, commonly referred to as a "tin can."
- (af) "Waste oil" means any petroleum-derived or synthetic oil that has been used.
- (ag) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (ah) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

(9) HAULERS LICENSE.

- (a) License Required. No person shall collect solid waste in the City until first obtaining a license from the Common Council.
- (b) Application. Applications for a license shall be made to the City Clerk on a form provided by the City Clerk.
- (c) Fee and Term. The license fee is \$25 for a term of one calendar year.

(d) Granting of License. Only one license shall be issued for the curbside collection and disposal of solid waste, recyclable materials, and yard waste generated from City-serviced dwellings, and the City shall contract with said licensee for the exclusive privilege of collecting and disposing of solid waste, recyclable materials, and yard waste from City-serviced dwellings within the City for a period not to exceed 5 years and under such terms and conditions as the Council may prescribe. One or more licenses may be issued for the collection and disposal of non-residential solid waste and for residential waste from non-City-serviced dwellings.

(e) Requirements. All licensees shall maintain their vehicles and equipment in sanitary condition and to prevent the escape of any wastes including liquids. Any violation of this paragraph may result in the suspension or revocation of the license after notice and hearing as provided by law.

(10) COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS, AND YARD WASTE.

(a) Sole Contractor. All solid waste, recyclable materials, and yard waste from City-serviced dwellings shall be collected and disposed of by the City's licensed Contractor.

(b) Cost of Service. The City shall pay to the City's licensed Contractor the cost of collection and disposal of all solid waste, curbside recyclable materials, and yard waste from City-serviced dwellings at a rate to be negotiated between the City and said Contractor.

(c) Special Charge to Residents. The City shall pay for the cost of said collection and any others costs incurred by the City in provision of solid waste management for City-serviced dwellings by the imposition of a special charge against the property served, pursuant to 66.60(16) Wisconsin Statutes. Such special charges shall be made annually and collected on the tax roll. Said charge shall be paid in full on or before January 31st of each year. Any special charge not paid when due shall become a lien and shall be collected as a delinquent tax against the property.

(11) COLLECTION OF SOLID WASTE FROM CITY-SERVICED DWELLINGS - CONDITIONS, PROHIBITIONS, AND REQUIREMENTS.

(a) Schedule. Collection shall be made on a weekly basis not less than 52 times per year on a schedule posted by the City Clerk's office.

(b) Container. Solid waste shall only be collected if in the designated 96 gallon wheeled containers provided to each City-serviced dwelling by the City's licensed Contractor.

(c) Placement. Containers must be placed by the alley or street edge by 6:00 AM on the day of collection to be emptied by the Contractor.

(d) Large Item Collection. City-serviced dwellings may arrange for curbside collection and disposal of large items by directly contacting the City's licensed Contractor and will be charged by the Contractor for such collection based upon a fee schedule published annually by the City Clerk. Large items are also collected curbside during the Citywide Cleanups with no charge.

(12) SEPARATION OF RECYCLABLE MATERIALS. Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste before disposal of such waste. Materials separated and collected for recycling shall not be disposed of at any landfill.

(a) Lead acid batteries

(b) Major appliances

(c) Waste oil

(d) Yard waste

(e) Aluminum containers

(f) Bi-metal containers

(g) Corrugated paper or other container board

(h) Glass containers

(i) Magazines

(j) Newspaper

(k) Office paper

(l) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins (SPI codes #1-7)

(m) Steel containers

(n) Electronics

(o) Waste tires

(13) CURBSIDE COLLECTION OF RECYCLABLE MATERIALS FROM CITY-SERVICED DWELLINGS - CONDITIONS, PROHIBITIONS, AND REQUIREMENTS.

- (a) Schedule. Collection shall be made on an every other week basis not less than 26 times per year on a schedule posted by the City Clerk's office.
- (b) Container. Curbside recyclable materials shall only be collected if in the designated 96-gallon wheeled recycling containers provided to each City-serviced dwelling by the City's licensed Contractor. To the greatest extent practicable, the recyclable materials shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers.
- (c) Placement. Containers must be placed by the alley or street edge by 6:00 AM on the day of collection to be emptied by the Contractor.
- (d) Curbside recyclable materials may be placed in the recycling container. The Prairie du Chien Recycling Guide provides detailed description of each recyclable material collected.

(14) CURBSIDE COLLECTION OF YARD WASTE FROM CITY-SERVICED DWELLINGS - CONDITIONS, PROHIBITIONS, AND REQUIREMENTS.

- (a) Schedule. Collection shall be made on a weekly basis from April 1st through November 30th on a schedule posted by the City Clerk's office.
- (b) Container. Yard waste shall only be collected if in approved compostable craft bags or in the 96-gallon optional collection containers provided to City-serviced dwellings upon request by the Contractor and for an additional annual charge.
- (e) Placement. Containers must be placed by the alley or street edge by 6:00 AM on the day of collection to be collected by the Contractor.
- (c) Brush and Compost Site. Yard waste may also be dropped at the City brush site from April 1st through November 30th on a schedule posted by the City Clerk's office.

(15) MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL, TIRES, AND ELECTRONICS.

- (a) Lead Acid Batteries shall be taken to an appropriate licensed recycler or may be dropped off at the City Street Shop, Monday through Friday. Lead acid batteries are also collected curbside during the Citywide Cleanups at no charge.
- (b) Major Appliances shall be taken to a facility licensed by the Wisconsin Department of Natural Resources to recycle appliances or may be dropped off at the City Street Shop, Monday through Friday. Appliances are also collected curbside during the Citywide Cleanups at no charge.
- (c) Waste Oil and Oil Filters shall be taken to an appropriate licensed recycler or may be dropped off at the City Street Shop, Monday through Friday.
- (d) Waste Tires shall be taken to an appropriate licensed recycler or may be dropped off at the City Street Shop, Monday through Friday. Tires are also collected curbside during the Citywide Cleanups at no charge.
- (e) Electronics shall be taken to a facility licensed by the Wisconsin Department of Natural Resources to recycle electronics. Electronics are also collected during City and County E-Waste events.

(16) RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF MULTIPLE-FAMILY DWELLINGS. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified:

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
- (c) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
- (d) Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

(17) RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified:

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
- (c) Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.

(d) Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

(18) PROHIBITIONS ON DISPOSAL OF RECYCLABLE MATERIALS SEPARATED FOR RECYCLING. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(19) GENERAL PROVISIONS.

(a) No person other than the owner, designated agent, occupant, or tenant of the premises, or their agent, or the collection Contractor employed and licensed by the City, or a City employee authorized by the Board of Public Works, shall deposit any article or thing in refuse or recycling container, or shall remove, displace, injure, deface, destroy, uncover, or disturb such containers or their contents. No person shall tag or place graffiti on any refuse or recycling container or dumpster. Recyclable materials upon placement at the alley or street for collection shall become the property of the City.

(b) Scavenging without the express, written consent of the owner, designated agent, occupant, tenant of the premises, or the City shall be prohibited.

(c) It shall be unlawful for any person to place, deposit, or cause to be deposited, for collection by the City or the City's licensed Contractor, any waste, refuse, recyclable materials, or yard waste not generated within the limits of the City of Prairie du Chien.

(20) ENFORCEMENT AND PENALTIES.

(a) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of City of Prairie du Chien Board of Public Works may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the City of Prairie du Chien Board of Public Works who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(b) Any person who violates a provision of this section may be issued a citation by the City of Prairie du Chien Police Department or an authorized representative of the Board of Public Works.

(c) Any person who receives a citation for violating any provision of this section may be required to forfeit \$100 for a first violation within a 12-month period, \$250 for a second violation within the same calendar year, and not more than \$500 for a third or subsequent violation within the same calendar year plus costs and penalty assessments.

11.08 (ILLEGAL DUMPING PROHIBITED)

It shall be illegal for any person to dump, dispose, deposit, litter or store garbage or rubbish in the City outside of a licensed sanitary landfill facility on either private or public lands.

11.09 (PENALTY)

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in sec. 25.04 of this Code.

11.10 (PROHIBITED DISCHARGES)²

(1) PROHIBITED DISCHARGES. No person, firm or corporation shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or unto the ground, surface waters, subsurface waters, or aquifers, or within the City, except those areas specifically licensed for waste disposal or landfill activities and to receive such materials, any explosive, flammable or combustible solid liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

(2) CONTAINMENT, CLEANUP AND RESTORATION. Any person, firm, or corporation in violation of the above section shall, upon direction of any Emergency Government officer, begin immediate actions to contain, cleanup

² Chapter 11.10 - Created by Ordinance 798

⁶ Chapter 11.07 – Amended by Ordinance 2016-20

and remove to an approved repository the offending material(s) and restore the site to its original condition, with the offending person, firm or corporation being responsible for all expenses incurred. Should any person, firm or corporation fail to engage the necessary men and equipment to comply or to complete the requirements of this section, the Office of Emergency Government may order the required actions to be taken by public or private resources and allow the recovery of any and all costs incurred by the City as action imposed by (3).

(3) EMERGENCY SERVICES RESPONSE. Includes, but is not limited to: Fire Service, Emergency Medical Services, Law Enforcement. A person, firm or corporation who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this ordinance. Actual and necessary expenses may include but not be limited to: replacement of equipment damaged by the hazardous material, cleaning, decontamination and maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, clean up and medical surveillance and incurred costs in future medical surveillance of response personnel as required by the responding agencies medical advisor.

(4) SITE ACCESS. Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to Emergency Government officers and staff and to the City Police and Fire Department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.

(5) PUBLIC PROTECTION. Should any prohibited discharge occur that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect to protect life and limb, the Coordinator of Emergency Government, his assistant, or the senior City Police or Fire official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Common Council can take appropriate action.

(6) ENFORCEMENT. The Coordinator of Emergency Government and his deputies, as well as the City police officers, shall have authority to issue citations or complaints under this Section.

(7) CIVIL LIABILITY. Any person, firm or corporation in violation of this section shall be liable to the City for any expenses incurred by the City or loss or damage sustained by the City by reason of such violations.

(8) PENALTIES. Any person, firm or corporation in violation of this section shall forfeit to the City upon conviction thereof not to exceed \$1.00 to \$500.00 plus costs of prosecution and in default of payment thereof, imprisonment in the County Jail for thirty (30) days. Each day of violation shall constitute a separate offense.

11.11 (PROHIBITION AGAINST SMOKING IN CITY BUILDINGS AND VEHICLES)³

(1) DEFINITIONS. The following definitions shall apply to this Ordinance:

- (a) "City Building" means any enclosed structure owned leased by the City of Prairie du Chien. This includes buildings owned by the City jointly with other including municipalities, private persons or entities.
- (b) "Smoking" means carrying a lighted cigarette, cigar, pipe or other lighted smoking equipment.
- (c) "City Owned Vehicle" means any motorized vehicle owned or leased by the City or Prairie du Chien.

(2) SMOKING PROHIBITED. Smoking is prohibited in all City buildings and vehicles.

(3) SIGNS. Signs shall be posted in the following manner: As to City buildings in which no smoking is allowed, a sign shall be placed prominently at each entrance stating: "No Smoking in this Building", or words to like effect; whenever possible, the standard no smoking symbol should also be displayed with such signs. As to City vehicles in which no smoking is allowed, a sign shall be placed within the vehicle stating "No Smoking In This Vehicle", or words to like effect; whenever possible, the standard no smoking symbol should also be displayed on such sign.

(4) PENALTY. Any person who willfully violates the terms of the Ordinance shall forfeit not less than \$5.00 nor more than \$25.00.

³ Chapter 11.11 - Created by Ordinance 94-01

11.12 (PURCHASE OR POSSESSION OF CIGARETTES OR OTHER TOBACCO PRODUCTS BY PERSON UNDER 18 YEARS OF AGE PROHIBITED)⁴

The provisions of Section 254.92, Wis. Stats., and any amendments thereto are hereby adopted in their entirety with the exception of any penalty therein set forth. Further, penalty for violation of this Ordinance shall be limited to a forfeiture imposed under Sec. 25.04 of the Municipal Code of the City of Prairie du Chien.

11.13 (STATEWIDE SMOKING BAN)⁵

(1) Smoking Ban Adopted. The City hereby adopts, by reference, the provisions of Wis. Stats. §101.123, Smoking prohibited, pertaining to the statewide smoking ban.

(2) Inspection and enforcement. The City of Prairie du Chien Police Department shall have the power to enter any premises subject to the smoking ban under state law to ascertain whether the premises are in compliance with this section and take appropriate enforcement action pursuant to Wis. Stat. §101.123.

⁴ Chapter 11.12 - Created by Ordinance 2004-06

⁵ Chapter 11.12 - Created by Ordinance 2010-10