

**Chapter 8.05**  
**SMOKING REGULATIONS**

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**Section 8.05.010. Findings and purpose.**

A. The city council finds that numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a significant health hazard for certain population groups, including elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory functions, including asthmatics and those with obstructive airway disease.

B. That as a result, certain health hazards are induced by breathing secondhand smoke, including lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function and bronchial spasms.

C. That certain nonsmokers also suffer allergies and other respiratory diseases and ill effects from breathing secondhand smoke, causing a loss of job productivity and that smoking is a documented cause of fires.

D. Accordingly, the City Council finds and declare that the purpose of this chapter is to protect the public health, safety and welfare by prohibiting smoking in certain public premises except in such

designated smoking areas as may be hereafter established by the City Council pursuant to this chapter, (Ord 453 § 1 (part), 1990)

**8.05.020 Definitions**

The following words and phrases whenever used in this chapter shall be construed as defined in this section.

A. "Public premises" means and includes only the Ripon City Hall, the police department facilities building, the Community Center, and the city corporation yard buildings in the City of Ripon.

B. "Smoking" means inhaling, exhaling, burning or carrying any lighted pipe, cigarette, pipe weed or other combustible substance. (Ord. 453 § 1 (part), 1990; Ord. 566 § 1 (part), 1996)

**8.05.030 Application.**

The Ripon City Hall, police department facilities building, Community Center, and corporation yard buildings of the City shall be the only public premises which shall be subject to the provisions of and exceptions contained in this chapter. (Ord. 453 § 1 (part), 1990; Ord. 566 § 2, (part) 1996)

**8.05.040 Prohibition of smoking including exceptions.**

Smoking shall be prohibited in the City Hall, police department facilities building, Community Center, and the city corporation yard buildings of the City. (Ord. 453 § 1 (part), 1990; Ord. 566 § 3 (part), 1996)

**8.05.050 Smoking not regulated.**

Notwithstanding any provisions of this chapter to the contrary, the following designated areas and equipment used by the city shall not be subject to the smoking restriction contained in this chapter:

A. Any City vehicles;

B. The police department facilities building dispatch restroom area. (Ord. 453 § 1 (part), 1990)

**8.05.060 Posting of sign.**

Smoking or nonsmoking signs, whichever are appropriate, with letters of not less than one inch in height or the international nonsmoking symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it shall be clearly, sufficiently and conspicuously posted in every building or other place where smoking is regulated by this chapter or where an exception is created for smoking pursuant to this chapter other than in city vehicles. (Ord. 453 § 1 (part), 1990)

**8.05.070 Violation and penalties.**

It is unlawful for any person to smoke in an area where smoking is prohibited by the provisions of this chapter. Any person who violates any provision of this chapter shall be guilty of an infraction and punishable by:

- A. A fine not exceeding one hundred dollars for a first violation;
- B. A fine not exceeding two hundred dollars for

a second violation within one year;

C. A fine not exceeding five hundred dollars for each additional violation within one year. (Ord. 453 § 1 (part), 1990)

**8.05.080 Other applicable laws.**

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by any other applicable law or regulation prohibiting smoking in the city. (Ord. 453 § 1 (part), 1990)

**8.05.090 Severability.**

If any provision, clause, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions of this chapter which can be given effect without the invalid provisions or application, and to this end, the provisions of this chapter are declared to be severable. (Ord. 453 § 1 (part), 1990)