

**DANE COUNTY  
POLICY AND FISCAL NOTE**

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Update	Substitute No. _____
Sponsor: _____		Resolution No. _____
Vote Required: _____		Ordinance Amendment No. 11
Majority <input checked="" type="checkbox"/> _____		Two-Thirds <input type="checkbox"/> _____

Title of Resolution or Ord. Amd.:

**AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES PROHIBITING SMOKING IN CERTAIN AREAS**

**Policy Analysis Statement:**

**Brief Description of Proposal -**

The proposed ordinance would prohibit smoking in all places of employment (indoor enclosed areas), including licensed childcare facilities and health care facilities in private homes throughout the unincorporated areas of Dane County. Exceptions include 25 percent of rooms rented to guests in licensed Bed and Breakfasts, hotels and motels and private residences when not used as a childcare or health care facility. Additionally, smoking is prohibited in outdoor areas within 15 feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited. Smoking is prohibited at designated parks and beaches.

**Current Policy or Practice -**

Smoking restrictions exist in Madison and Fitchburg and will take effect in Monona on June 1, 2009. Additionally, Middleton is currently moving their ordinance through the political process and activity to support a smoking ordinance has now begun in Waunakee. There are currently no smoking restrictions in the unincorporated areas of Dane County.

**Impact of Adopting Proposal -**

The ordinance will impact all businesses in the unincorporated area including about 180 licensed food establishments (retail food stores, restaurants and taverns). Enforcement actions will be taken for non-compliance. The public health impact will be a substantial decrease in exposure to cancer-causing second-hand smoke for all customers and employees of these businesses.

**Fiscal Estimate:**

**Fiscal Effect (check all that apply) -**

- No Fiscal Effect
- Results in Revenue Increase
- Results in Expenditure Increase
- Results in Revenue Decrease
- Results in Expenditure Decrease

**Budget Effect (check all that apply)**

- No Budget Effect
  - Increases Rev. Budget
  - Increases Exp. Budget
  - Decreases Rev. Budget
  - Decreases Exp. Budget
  - Increases Position Authority
  - Decreases Position Authority
- Note: if any budget effect, 2/3 vote is required

**Narrative/Assumptions about long range fiscal effect:**

Educational letters to licensed establishments, complaint follow-up and enforcement will be required. There have been few enforcement problems following the passage of the existing smoke-free ordinances since most establishments welcome it and there has been a significant smoke-free trend worldwide. The fiscal impact should be minimal.

**Expenditure/Revenue Changes:**

	Current Year		Annualized			Current Year		Annualized	
	Increase	Decrease	Increase	Decrease		Increase	Decrease	Increase	Decrease
Expenditures -					Revenues -				
Personal Services					County Taxes				
Operating Expenses					Federal				
Contractual Services					State				
Capital					Other				
Total	\$0	\$0	\$0	\$0	Total	\$0	\$0	\$0	\$0

**Personnel Impact/FTE Changes:**

None

**Prepared By:**

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Prepared by: Tommye Schneider  
Reviewed by:

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Date: June 24, 2008 Phone: 243-0363  
Date: Phone: