



Legislation Details (With Text)

**File #:** 01880      **Version:** 1      **Name:** Advisory referendum on Madison's Smoking Ban  
**Type:** Resolution      **Status:** Denied  
**File created:** 8/25/2005      **In control:** Health Department  
**On agenda:** 9/20/2005      **Final action:** 9/20/2005  
**Enactment date:**      **Enactment #:**  
**Title:** Establishing an advisory referendum on Madison's Smoking Ban.  
**Sponsors:** Zachariah Brandon, Lauren Cnare, Isadore Knox Jr., Larry Palm, Paul J. Van Rooy  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 01880 registration statement.pdf, 2. 01880 Registrations in Support.pdf, 3. 01880 Registrations neither support nor oppose.pdf, 4. 01880 Registrations in Opposition.pdf

Date	Ver.	Action By	Action	Result
9/20/2005	1	COMMON COUNCIL	Adopt	Fail
9/14/2005	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Pass
9/7/2005	1	ECONOMIC DEVELOPMENT COMMITTEE	Return to Lead with the Recommendation for Denial	Pass
9/7/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
9/6/2005	1	COMMON COUNCIL	Refer	
9/6/2005	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	Refer	
9/6/2005	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	Fiscal Note Required / Approval	
8/31/2005	1	Finance Dept/Approval Group	Fiscal Note Pending	
8/31/2005	1	Attorney's Office	Referred for Introduction	
8/25/2005	1	Attorney's Office	Fiscal Note Required / Approval	

**Fiscal Note**

Approximately \$200 would be required to code each machine at the 76 City polling locations, at a total cost of \$15,200. An additional \$1,000 would be required to cover the City of Madison's pro rata share of the paper ballot costs. Total additional costs associated with this referendum question are therefore estimated at \$16,200. This amount has not been included in the Clerks Office 2006 Requested Operating Budget, and would have to be included through the 2006 Operating Budget amendment process.

**Title**

Establishing an advisory referendum on Madison's Smoking Ban.

**Body**

WHEREAS, by ordinance no. 13,604, adopted on April 20, 2004, the City of Madison enacted a comprehensive ban on smoking in public places, including, restaurants, bars, and taverns; and  
WHEREAS, the smoking ban went into effect on July 1, 2005; and  
WHEREAS, some bars and taverns have claimed a loss of business due to the smoking ban; and  
WHEREAS, the Common Council has been informed by the Office of the City Attorney that repeal of the smoking ban is not the proper subject for direct legislation under state law; and  
WHEREAS, the Common Council seeks the input of the citizens of Madison regarding the future of the smoking ban.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City of Madison will conduct an advisory referendum to be held at the General Spring Election on April 4, 2006, related to the smoking ban.
2. That the language of the advisory referendum shall be as follows:

"Shall the City of Madison repeal its comprehensive smoking ban and allow smoking in taverns within the City?

Yes:

No:

"