

Legislation Details (With Text)

**File #:** 21846      **Version:** 1      **Name:** Smoking Signage  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/22/2011      **In control:** BOARD OF HEALTH FOR MADISON AND DANE COUNTY  
**On agenda:** 3/29/2011      **Final action:** 5/3/2011  
**Enactment date:** 5/14/2011      **Enactment #:** ORD-11-00065

**Title:** Amending Sec. 23.05(8)(a), repealing Sec. 23.05(8)(b) and renumbering Sec. 23.05(8)(c) to (b) of the Madison General Ordinances to eliminate size requirements for no smoking signs and to create a universal sign for nonsmoking.

**Sponsors:** Lauren Cnare

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/3/2011	1	COMMON COUNCIL	Adopt	Pass
4/14/2011	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/29/2011	1	COMMON COUNCIL	Referred	
3/22/2011	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required.

**Title**

Amending Sec. 23.05(8)(a), repealing Sec. 23.05(8)(b) and renumbering Sec. 23.05(8)(c) to (b) of the Madison General Ordinances to eliminate size requirements for no smoking signs and to create a universal sign for nonsmoking.

**Body**

DRAFTER'S ANALYSIS: This ordinance removes the size requirements for no smoking signs and requires that all signs contain the universal no smoking symbol. This symbol is required under the Department of Commerce regulations and creates uniformity regarding no smoking signs.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) of Subsection (8) entitled "Signage" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is amended to read as follows:  
 "(a) Signs prohibiting, ~~prohibiting except in designated areas, or permitting smoking, as the case may be,~~ shall be posted conspicuously at every building, structure, or public place entrance ~~and in prominent locations throughout the premises~~ by the proprietor, employer or other person in charge of each building, structure or public place specified in Subsections (3), (4), (5) and (6). Signs in outdoor areas designated as nonsmoking shall be placed so that the public has reasonable notice of the prohibition. Signs shall include the international "No Smoking" symbol consisting of a pictorial burning cigarette enclosed in a red circle with a red bar across the cigarette.
2. Subdivision (b) of Subsection (8) entitled "Signage" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is hereby repealed.
3. Subdivision (c) of Subsection (8) entitled "Signage" of Section 23.05 entitled "Smoking

Prohibited in Certain Areas” of the Madison General Ordinances is renumbered to Subdivision (b).

**EDITOR’S NOTE:**

Sec. 23.05(8)(b) currently reads as follows:

“(b) Restaurants and taverns shall post, in a conspicuous place at each entrance normally used by the public, a sign not smaller than eleven by eight and one-half inches (11” x 8 ½”) indicating whether they permit smoking or whether they are smokefree. Each sign and the language contained therein shall be clearly visible from a distance of at least ten (10) feet. The signage lettering shall be in bold and the lettering shall be a minimum of two (2) inches in height. Each sign shall contain the phone number for the City health department and the non-emergency number for the City police department.”