



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

Original Post Date: 07/28/16

Amended* Post Date:

The following documents are included in the packet for the Property and Insurance Committee on August 2nd, 2016:

- 1) Agenda
- 2) Draft minutes from the 07/05/16 meeting
- 3) Information on E-Cigarette Ban to be added to no smoking policy
- 4) Highway Commissioner Vehicle Purchase Request
- 5) Information on the Repair of Roofs for Fair Buildings
- 6) 2017 Budget
- 7) Maintenance Report
- 8) Fair Vendor Insurance Certificate Information



GREEN LAKE COUNTY OFFICE OF THE COUNTY CLERK

Margaret R. Bostelmann, WCPM
County Clerk

Office: 920-294-4005
FAX: 920-294-4009

Property & Insurance Committee Meeting Notice

Date: August 2nd, 2016 Time: 5:00 PM

Location: Government Center, County Board Room, 571 County Road A, Green Lake WI

Amended** AGENDA

Committee Members

Vicki Bernhagen, Chairman
Patti Garro, Vice Chair
Michael Starshak
Robert Lyon
Richard Trochinski

Margaret R. Bostelmann
Secretary

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Agenda
5. Minutes: **07/05/16 ~~06/07/16~~
6. Correspondence
7. Public Comments (3 min limit)
8. Izaak Walton League Gift of Property to Green Lake County
9. Consider adding on the ban of E-Cigarettes to existing no smoking policy
10. Use of County Property
11. Purchase Requests
 - **Highway Commissioner Vehicle
12. Monthly Vouchers
13. Resolutions/Ordinances
14. Green Lake Multi Use Trail
15. Follow up on Roof repair funding for Fair Buildings
16. HHS request to authorize search for Architect for FRI
17. Health Insurance 2017
 - Personnel Recommendation to stay with Group Health Trust
18. *2017 Budget
19. Maintenance Report
 - Monthly Activities
20. Parks & Recreation Report
21. Clerk's Report
 - Green Lake County Fair- Vendor Insurance Certificates
22. Consider motion to convene into closed session pursuant to Wis. Stat. section 19.85(1)(g)(Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigations in which it is or is likely to become involved) The closed session is regarding Notice of Injury – cutting of trees.
23. Reconvene to open session to take action, if appropriate, on matters discussed in closed session.
24. Committee Discussion
 - Future Meeting Dates: Regular Meeting **September 6 August 2, 2016 at 5:00 PM
 - Future Agenda items for action & discussion
25. Adjourn

**Notice is hereby given that a majority of the Green Lake County Board of Supervisors may be present at this meeting to gather information about a subject over which they have decision making responsibility. This constitutes a meeting of the County Board pursuant to the Badke Decision and must be noticed as such although the County Board will not take any formal action at this meeting.*

Kindly arrange to be present, if unable to do so, please notify our office. Sincerely, Margaret R. Bostelmann, County Clerk

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the County Clerk's Office, 294-4005, not later than 3 days before date Of the meeting.

PROPERTY AND INSURANCE COMMITTEE

July 5, 2016

The meeting of the Property and Insurance Committee was called to order by Chair, Vicki Bernhagen, on Tuesday, July 5, 2016 at 5:00 PM in the Green Lake County Board Room, Green Lake County Government Center, 571 County Road A, Green Lake, WI. The requirements of the open meeting law were certified as being met. The pledge of allegiance was recited.

Present: Vicki Bernhagen
Patti Garro
Richard Trochinski
Bob Lyon
Mike Starshak (5:05 PM)

Also Present: Liz Otto, Deputy County Clerk
Scott Weir, Maintenance Supervisor
Lauree Renaud
Dawn Klockow, Corporation Counsel
Amy Brooks, Highway Commissioner

AGENDA

Motion/second (Garro/Trochinski) to approve the amended agenda. Motion carried.

MINUTES

Motion/second (Garro/Lyon) to approve the minutes of June 7, 2016. Motion carried.

CORRESPONDENCE – Deputy Clerk Otto informed the committee that a letter was received from Aegis Corporation stating that the County will be receiving \$16,572.80 in a dividend check for the Workers Compensation Audit Adjustment. There was also a Public Hearing Notice from the Green Lake County Drainage Board for the purpose of hearing and considering assessments. The calculated assessment for Green Lake County is \$3.83 which is the same as last year.

PUBLIC COMMENT – None

IZAAK WALTON LEAGUE GIFT OF PROPERTY TO GREEN LAKE COUNTY

Corporation Counsel Klockow stated that the survey is not yet complete so there is nothing further to report.

MISCELLANEOUS NON-INVENTORY ITEMS FOR DISPOSAL – HIGHWAY

Highway Commissioner Amy Brooks stated that the Highway Department has old pallets, sign posts and paint totes to be disposed of. She will be advertising them on the Wisconsin Surplus website. This has been previously approved by the Highway Committee.

Motion/second (Lyon/Garro) to allow Highway Commissioner Amy Brooks to sell off all items as she deems most beneficial to Green Lake County. Motion carried.

USE OF COUNTY PROPERTY –

- 4th of July Parade – Chairman Bernhagen stated that she verbally approved this request on June 20, 2016 since the timeframe did not allow for entire committee approval.
- VFW-Run for Sam – *Motion/second (Garro/Trochinski)* to approve request for July 9, 2016. Motion carried.

PURCHASE REQUESTS

HHS (Children & Families Unit):

Two (2) I-Phones \$.01 per phone/approximately \$25.00/month recurring charges per phone

Land Conservation

One (1) I-Phone \$.01 phone/approximately \$25.00/month recurring charge

Motion/second (Garro/Lyon) to approve purchase requests. Motion carried.

MONTHLY VOUCHERS

Vouchers were presented:

Purchasing:	\$4,482.13
Maintenance:	\$9,152.32
Radio Tower:	\$130.00
Parks:	\$38,077.18

Discussion held on one invoice from last year from United Mailing Service. Information will be provided at the August meeting.

Motion/second (Garro/Trochinski) to approve the vouchers as presented. Motion carried.

RESOLUTIONS/ORDINANCES – None

GREEN LAKE MULTI USE TRAIL

Lauree Renaud, Green Lake Greenways volunteer, stated that the pre-engineering funds that have been collected are now exhausted and additional dollars will be needed to continue with the project. Renaud requested that someone from the P&I committee attend the next DOT meeting to provide verbal support for the project.

REVIEW BIDS FOR ROOFS OF FAIR BUILDINGS

Maintenance Supervisor Scott Weir stated that 3 building roofs at the fairgrounds are in need of repair. Options include painting, rubberizing, or accepting a bid previously submitted by Custofam Corporation which provides Karnack coatings. Weir stated this would be the best option and they provide a 5 year warranty.

Discussion held on various options and funding sources for the project. *Motion/second (Starshak/Trochinski)* to approve the bid of \$41,500 pending approval from the Finance Committee and appropriating funds to cover the costs. Motion carried.

MAINTENANCE REPORT

The Report was submitted to the Committee.

- Monthly activities – The report was reviewed.

PARKS & RECREATION

Weir stated that he has the new ID signs installed at 3 of the County parks.

CLERKS REPORT

- Pre-Claim Loss – Board of Adjustment

Deputy Clerk Otto provided an update on a condition created by the Green Lake County Board of Adjustment which was determined to be unconstitutional. County Mutual Insurance Corporation provided an attorney for the Board of Adjustment. The condition was removed from the parcel at a special meeting held on June 16, 2016.

CLOSED SESSION:

Motion/second (Garro/Starshak) to move into closed session pursuant to Wis. Stat. section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigations in which it is or is likely to become involved. The closed session is regarding Notice of Injury – cutting of trees. Roll call vote, 5 ayes, 0 nays, motion carried.

RECONVENE INTO OPEN SESSION TO TAKE ACTION, IF APPROPRIATE, ON MATTERS DISCUSSED IN CLOSED SESSION:

Motion/second (Starshak/Garro) to reconvene in open session. Roll call vote, 5 ayes, 0 nays, motion carried. No action taken on items discussed in closed session.

COMMITTEE DISCUSSION

Future Meeting Date: Regular Meeting: August 2, 2016 at 5:00 pm.

Future Agenda items for action & discussion: Discussion to consider adding ban on e-cigarettes to existing No Smoking policy, follow up on roof repair funding for fair buildings.

ADJOURNMENT

Bernhagen adjourned the meeting at 5:56 PM.

Submitted by,

Liz Otto
Deputy County Clerk

JEFFERSON COUNTY SMOKE FREE AIR ACT
(Ordinance No. 2003-06)

1. INTRODUCTION.

(a) This ordinance shall be known as the “**Jefferson County Smoke Free Air Act.**”
[am. 09-11-07, Ord. 2007-10]

(b) The smoking of tobacco products and other substances indoors causes recognized adverse health effects on not only the individuals smoking but also on others. Smoking indoors or near public entrances adversely affects among other things, health, safety, comfort, employee production and building maintenance expenses. [am. 09-11-07, Ord. 2007-10]

(c) While it is difficult to quantify exactly, smoking indoors also drives up publicly funded expenses in terms of increased health insurance premiums, increased sick leave use, increased building maintenance and decreased employee productivity. In addition, there is a public interest of taxpayers in an investment in county employees by paying their health insurance, and a need to maintain employee health to keep county costs from rising.

2. PURPOSE, AUTHORITY AND INTENT.

(a) Reports from the Surgeon General, the Environmental Protection Agency and others show that smoking contributes to health problems of county employees and members of the public both directly through deliberate use of smoking materials and indirectly through exposure to second hand smoke. This ordinance is enacted to protect the health and comfort of the public and county employees through the regulation of smoking, according to the authority granted this County by Sec. 101.123 (2)(c), Stats. (The Wisconsin Clean Indoor Act) and Chapter 59, Statutes. [am. 09-11-07, Ord. 2007-10]

3. DEFINITION.

(a) “Smoking” shall mean inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” shall include the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

(b) “E-Cigarette or Electronic Delivery Device” shall mean any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. “Electronic Delivery Device” shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
[am. 06-08-10, Ord. 2010-10; 06-09-2015, Ord. No. 2015-06]

4. REGULATION OF SMOKING.

(a) No person may smoke indoors at any time in any county-owned, rented or leased building, including the Fair Park grandstand. [am. 09-11-07, Ord. 2007-10]

(b) No person may smoke within thirty (30) feet of a public entrance to any county-owned, rented or leased building. At the Fair Park, this subsection shall only apply to the front door of the Activity Center. [cr. 09-11-07, Ord. 2007-10]

(c) No person may smoke at any time inside of any county-owned, rented or leased vehicle. [renumbered 09-11-07, Ord. 2007-10]

(d) No person may smoke on county property outside a designated smoking area if such property has notice posted of this regulation and designated smoking areas. Designated smoking areas for the Courthouse shall be adjacent to emergency exits at entrances 2 and 4. [cr. 09-11-07, Ord. 2007-10]

(1) The County Administrator or department head in charge of specific county property may designate smoking areas on such property. [cr. 09-11-07, Ord. 2007-10]

(2) Smoking shall not be allowed in park shelters or bathrooms, maintenance buildings or the Dog Park. [cr. 09-11-07, Ord. 2007-10]

(e) Department heads in all county-owned, rented, or leased buildings shall enforce a "No Smoking" policy consistent with Sec. 101.123, Stats. and this ordinance. (The Wisconsin Clean Indoor Air Act). [renumbered 09-11-07, Ord. 2007-10]

(f) In the event of conflict between the provisions of this ordinance and Section 101.123, Stats., the more restrictive regulation shall apply. [renumbered 09-11-07, Ord. 2007-10]

5. EXEMPTION FROM SMOKING PROHIBITION.

(a) The following activities, facilities and vehicles are exempt from the prohibition of this ordinance:

(1) With the consent of the Sheriff, and under supervision of a county detective, individuals under interrogation are permitted to smoke in designated interrogation rooms within the Sheriff's Department.

(2) Vehicles owned, rented or leased for use by the Jefferson County Sheriff's Department. [renumbered 09-11-07, Ord. 2007-10; renumbered 06-08-10, Ord. 2010-10]

(3) In the presence of a bailiff, jurors may smoke in the area immediately adjacent to courthouse entrance 13. [created 01-08-08, Ord. 2007-32; renumbered 06-08-10, Ord. 2010-10]

6. INCORPORATED STATUTORY PROVISIONS.

This ordinance shall incorporate the provisions of section 101.123, Wisconsin Statutes, as amended by 2009 Act 12, effective July 5, 2010. Any act required or prohibited by said statutory section shall be required or prohibited by this ordinance. [created 06-08-10, Ord. 2010-10]

7. PENALTY. [renumbered 06-08-10, Ord. 2010-10]

(a) Any person found guilty of violating this ordinance or any part of this ordinance, shall be subject to a forfeiture of not less than \$100 nor more than \$250, together with the costs of prosecution, and in willful default of payment of such forfeiture and costs of prosecution, may be imprisoned in the County Jail as ordered by the Court, except as set forth below: [am. 06-08-10, Ord. 2010-10]

1. Any person who willfully violates incorporated 101.123(2)(ar), Wis. Stats., after being advised by an employee of the facility that smoking in the area is prohibited shall forfeit not more than \$50. [created 06-08-10, Ord. 2010-10]

2. Except as provided in incorporated paragraphs 101.123(dm) or (em), any person in charge who violates incorporated 101.123(2m)(b) to (d) shall be subject to a forfeiture of \$100 for each violation. [am. 06-08-10, Ord. 2010-10]

(dm) For violations subject to the forfeiture under par. 7(a)(2), if the person in charge has not previously received a warning notice for a violation of incorporated 101.123(2m)(b) to (d), the law enforcement officer shall issue the person in charge a warning notice and may not issue a citation. [cr. 06-08-10, Ord. 2010-10]

(em) No person in charge may be required under par. 7(a)(2) to forfeit more than \$100 in total for all violations of incorporated 101.123(2m)(b) to (d) occurring on a single day. [cr. 06-08-10, Ord. 2010-10]

(b) Any person, firm, or corporation violating any of the subsections of this ordinance may stipulate to guilt or no contest and may pay to the Clerk of Court a bond according to a schedule established by ordinance. Such stipulation will make it unnecessary for the subject charged to appear in court, and will act as a basis for the court to enter judgment and order forfeiture of the bond.

(c) Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Jefferson County Circuit Court who shall provide a receipt therefore. The amount of the bond is hereby affixed at \$100 plus applicable statutory surcharges and assessments except for violations of incorporated 101.123(2)(ar), where the bond shall be \$50 plus applicable statutory surcharges and assessments. [am. 06-08-10, Ord. 2010-10]

(d) Adoption of this ordinance does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. Issuance of a citation hereunder shall not preclude the County or any authorized officer from proceeding under any other ordinance or law by any other enforcement method to enforce any ordinance, regulation or order.

8. NOTIFICATION TO PUBLIC. [renumbered 06-08-10, Ord. 2010-10]

(a) The person in charge of each county building or his or her designee shall cause to be posted at the entryway of each county building, signs notifying the public of the fact that the building is a smoke-free building. Absence of such sign, however, shall not be a defense to the violation of this ordinance. [am. 09-11-07, Ord. 2007-10]

(b) The person in charge of each county building or his or her designee shall cause to be posted signs notifying the public of the prohibition against smoking within thirty (30) feet of a public entrance. [cr. 09-11-07, Ord. 2007-10]

(c) The person in charge of each county building or his or her designee shall cause to be posted on the property around such building notices limiting smoking to designated areas, if the department head or County Administrator has established designated smoking areas applicable to the grounds of that specific building. [cr. 09-11-07, Ord. 2007-10]

8. ENFORCEMENT. [renumbered 06-08-10, Ord. 2010-10]

(a) All Jefferson County law enforcement officials of the Jefferson County Sheriff's Dept. are hereby authorized in the name of the County of Jefferson to issue citations for prosecution for violations occurring under this chapter. In addition, such officials may delegate this authority to department heads and/or persons in charge of any county building.

(b) Prosecutions under this chapter shall be made by the issuance of citations and the procedure to be followed shall be governed by Wisconsin Statutes Section 66.0113. The District Attorney shall, upon receipt of a complaint from the Sheriff's Department or other authorized individuals as allowed, institute appropriate legal proceedings against the alleged offender.

9. EMPLOYEE DISCIPLINE. [renumbered 06-08-10, Ord. 2010-10]

(a) In addition to or in lieu of enforcement of this ordinance by forfeiture, violations of this section by county employees and officers may be punished by appropriate discipline as a violation of a reasonable work rule as determined by the supervisor of the employee and/or the County Administrator.

Section 2. Effective Date: This ordinance shall take effect upon passage and publication as required by law.

Adopted 09/09/03; publication 09/17/03

Amended 01/08/08; publication 01/11/08 (Ord. 2007-32)

Amended 06/08/10; publication 06/11/10; effective 7/5/10 (Ord. 2010-10)

Amended 06/09/15; publication 06/12/2015 (Ord. No. 2015-06)

23.03 ELECTION PRACTICES PROHIBITED.

- (1) Electioneering Prohibited. It shall be unlawful during voting hours on any public property on the day of any election within a radius of one hundred (100) feet of any entrance to any building containing any polling place within the City of Madison, for any person to engage in any electioneering or to distribute, place or cause to be distributed any written or printed matter, or to maintain, present or display any visible or audible announcement or advertisement in any form whatsoever, which is intended or tends to influence, directly or indirectly, the vote for or against any candidate or referendum question. This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is located on such property on election day. (Am. by Ord. 10,920, 5-27-94)
- (2) Reserved for Future Use. (R. by Ord. 10,920, 5-27-94)
- (3) Loud Speakers Prohibited. It shall be unlawful during voting hours on the day of any election for any person to use or operate or cause to be used or operated any device, apparatus or instrument for the amplification of the human voice or any sound or noise, which amplification is directed to the general public and which is intended or tends to influence, directly or indirectly, the vote for or against any candidate or referendum question.
- (4) Any person convicted of violating this section shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200).

23.04 DISTRIBUTION OF COMMERCIAL HANDBILLS AND ADVERTISING MATTER PROHIBITED.

- (1) It shall be unlawful for any person, firm or corporation to distribute or to cause or permit to be distributed in any public street or park thereof in the City of Madison any commercial handbills, samples, or advertising matter of any kind.
- (2) It shall be unlawful for any person, firm, or corporation, except the owner, to place or cause to be placed in or upon any automobile standing on the streets, alleys, or public places in the City of Madison for advertising purposes any commercial handbill, dodger, card, pamphlet, sticker, tag, or paper of any kind.

23.05 SMOKING PROHIBITED IN CERTAIN AREAS.

- (1) Definitions.
 - "Bed and breakfast establishment" has the meaning set forth in Wis. Stat. § 254.61(3). This definition shall become effective July 1, 2005. (Cr. by Ord. 13,604, 5-11-04)
 - "Childcare facility" means any state licensed or county certified child care facility including, but not limited to licensed family day care or licensed group day care centers, licensed day camps, certified school-age programs and Head Start programs.
 - "Chewing tobacco" means plug and twist tobacco; fine cut and other chewing tobaccos; snuff, snuff flour, Cavendish, plug and twist tobacco; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing. (Cr. by ORD-06-00033, 4-7-06)
 - "Cigarette" means any roll of tobacco wrapped in paper or any substance other than chewing tobacco or tobacco products. (Cr. by ORD-06-00033, 4-7-06)
 - "City buildings" means all City-owned and operated buildings and those portions of buildings leased and operated by the City. (Cr. by Ord. 12,832, 6-6-01)
 - "Common areas of buildings" means all areas not part of a tenant's leased premises, including but not limited to lobbies, community rooms, hallways, laundry rooms, stairwells, elevators, enclosed parking facilities, pool areas, and restrooms contiguous thereto. This definition shall become effective July 1, 2005. (Cr. by Ord. 13,604, 5-11-04)
 - "Common areas of malls" means those areas within a mall customarily accessible to patrons. (Cr. by Ord. 12,571, 5-3-00)
 - "Educational Facility" means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board. (Cr. by Ord. 11,091, 12-22-94)

“Electronic delivery device” means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor. (Cr. by ORD-15-00007, 1-14-15)

“Employee” means any person who is employed by any employer for direct or indirect monetary wages or profit, including those full time, part-time, temporary or contracted for from a third party; employee also means any person who serves as a volunteer for a business or nonprofit entity.

“Employer” means any person, partnership, limited liability company, corporation, or other entity, including a public or non-profit entity who employs the services of one (1) or more individual persons.

“Enclosed Area” means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from floor to ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, ‘other landscaping’ or similar structures. (Cr. by Ord. 12,571, 5-3-00)

“Entrance” means a doorway, access area for vehicles and adjacent area which gives direct access to a building or City parking ramps from a contiguous street, plaza, sidewalk or parking lot. (Cr. by Ord. 12,832, 6-6-01; ORD-10-00122, 12-23-10)

“Food” means a raw, cooked, or processed edible substance or ingredient used or intended for use or for sale in whole or in part for human consumption. It does not include ice, beverage or chewing gum. (Cr. by ORD-06-00033, 4-7-06)

“Health Care Facility” has the meaning set forth in Wis. Stat. § 155.01(6). (Cr. by Ord. 12,571, 5-3-00)

“Hotel and motel” has the meaning set forth in Wis. Stat. § 254.61(3).

“Mall” means an enclosed, indoor area containing common areas and discrete businesses primarily devoted to the retail sale of goods and services. (Cr. by Ord. 12,571, 5-3-00)

“Medical Services” has the meaning set forth in Wis. Stat. § 647.01(6). (Cr. by Ord. 12,571, 5-3-00)

“NonSmoking” means smoking is prohibited. (Cr. by Ord. 12,571, 5-3-00)

“Outdoor air intake” means an opening or inlet through a wall louver or vent by which outside air is brought into an air-conditioning system or into a boiler room, also, known as a fresh-air intake. (Cr. by ORD-13-00139, 8-14-13)

“Person in Charge” means the person who ultimately controls, governs or directs the activities aboard a public conveyance or within or at a place where smoking is regulated under this section, regardless of the person’s status as owner or lessee. (Cr. by Ord. 12,571, 5-3-00)

“Place of employment” means an enclosed area controlled by the employer, which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not a ‘place of employment’ within the meaning of this ordinance unless used as a childcare facility.

“Private Club” means an organization, whether incorporated or not, which is the owner, lessee or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent or athletic purpose but not for pecuniary gain and which only sells alcohol beverages incidental to its operation. The affairs and management of the private club are conducted by a board of directors, executive committee or similar body chosen by the members at an annual meeting. The private club has established bylaws and/or a constitution to govern the club’s activities. The private club has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C.A. section 501. This definition shall become effective July 1, 2005. (Cr. by Ord. 13,604, 5-11-04)

“Private residence” means premises owned, rented or leased for temporary or permanent habitation. (Cr. by Ord. 12,571, 5-3-00)

“Public place” means any enclosed area to which the public is invited or in which the public is permitted. A private residence is not a public place. (Cr. by Ord. 12,571, 5-3-00)

“Restaurant” means an establishment defined in Wis. Stat. § 254.61(5), whose sale of alcohol beverages accounts for fifty percent (50%) or less of the establishment’s gross receipts of the most recent alcohol licensing year, but does not mean churches, religious, fraternal, youth or patriotic organizations, service clubs and civic organizations which prepare and serve or sell meals to members and guests only. This includes restaurants within a mall and adjacent seating. This definition is effective January 2, 2003. (Am. by Ord. 11,558, 3-29-96, 4-4-96; Ord. 13,195, 12-10-02)

“Retail electronic delivery device store” means a retail establishment that does not have a “Class B” or “Class A” intoxicating liquor license or a Class “B” or Class “A” fermented malt beverages license and that generates seventy-five percent (75%) or more of its gross annual income from the retail sale of electronic delivery devices and accessories. (Cr. by ORD-15-00007, 1-14-15)

“Retail tobacco store” means a retail establishment that does not have a “Class B” intoxicating liquor license or a Class “B” fermented malt beverages license and that generates 75 percent or more of its gross annual income from the retail sale of tobacco products and accessories. (Am. by ORD-10-00067, 7-13-10)

“Room” means a space within a building completely enclosed with walls, partitions, floor and ceiling, except for openings for light, ventilation, ingress and egress.

“School Board” means the school board in charge of the public schools, grades K-12, of a school district. (Cr. by Ord. 11,091, 12-22-94)

“Smokefree” means absence from the ambient air of the smoke by-product from the burning, inhaling, exhaling, or carrying of a lighted cigarette, cigar, pipe, weed, plant, or other combustible substance in any manner in any form.

“Smoking” means to smoke or carry a lighted pipe, cigar, cigarette or tobacco-related products in any form. Smoking also includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device. (Am. by ORD-15-00007, 1-14-15)

“Sports Arena” means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and indoor ice rinks, and bowling centers. This definition shall become effective on July 1, 2005. (Cr. by Ord. 13,604, 5-11-04)

“Tavern” means any establishment with a full service bar in which fermented malt beverages or intoxicating liquors are sold for consumption upon said premises and whose sale of alcohol beverages accounts for more than fifty percent (50%) of the establishment’s gross receipts of the most recent licensing year as specified in Chapter 38 of these ordinances. This definition is effective January 2, 2003. (Am. by Ord. 11,558, 3-29-96, 4-4-96; Ord. 13,195, 12-10-02)

“Tobacco bar” means a tavern, which generates fifteen percent (15%) or more of its total annual gross income from the on-site sale of cigars and tobacco for pipes, not including any sales from vending machines. (Cr by ORD-06-00033, 4-7-06; Am. by ORD-10-00067, 7-13-10)

“Tobacco Product” means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such a manner, as to be suitable for smoking in a pipe or otherwise smoking; but “tobacco product” does not include cigarettes or chewing tobacco. (Cr. by Ord. 12,571, 5-3-00; Am. by ORD-06-00033, 4-7-06)

“Use Tobacco Products” means to consume by means other than smoking including, but not limited to, the chewing, spitting, swallowing, snorting, inhaling or ingesting of any tobacco product. (Cr. by Ord. 10,679, 6-11-93)

(Sec. 23.05(1) Am. by Ord. 10,531, 12-30-92; Ord. 12,571, 5-3-00; Ord. 12,938, 12-11-01 Am. by ORD-10-00067, 7-13-10)

(2) Intent and Purpose.

- (a) The Common Council of the City of Madison hereby finds that:
1. It is recognized that smoking of cigarettes and tobacco products is hazardous to an individual's health and may affect the health of nonsmokers when they are involuntarily in the presence of smoking.
 2. Numerous scientific studies have found that tobacco smoke is a major contributor to indoor air pollution.
 3. Reliable scientific studies, including studies conducted by the Surgeon General of the United States, have shown that breathing sidestream or secondhand smoke is a significant health hazard to nonsmokers; particularly to children, elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.
 4. Health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased respiratory function, decreased exercise tolerance, bronchoconstriction and bronchospasm.
 5. Reliable scientific studies assessed by the California Environmental Protection Agency have found that sidestream and secondhand tobacco smoke is a leading cause of premature death and disability among non-smokers.
 6. Air pollution caused by smoking is an offensive annoyance and irritant. Smoking results in serious and significant physical discomfort to nonsmokers.
 7. Electronic delivery devices are currently unregulated and have been proven to emit nicotine, ultra-fine particles, volatile organic compounds and other toxins. Inhalation of nicotine is proven to be dangerous to everyone, especially children and pregnant women. Exposure to ultrafine particles may exacerbate respiratory illnesses, such as asthma and may constrict arteries which could trigger a heart attack. The volatile organic compounds, such as formaldehyde and benzene, found in electronic smoking device aerosols, as well as conventional cigarette smoke, are proven carcinogens. (Cr. by ORD-15-00007, 1-14-15)
- (b) This ordinance is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of Madison, especially recognizing the rights of nonsmokers who constitute a majority of the population; educating citizens affected by this ordinance; and assisting owners, operators; and managers in maintaining compliance.

(Sec. 23.05(2) Am. by Ord. 12,571, 5-3-00)

- (3) Prohibition of Smoking in Public Places. Except as otherwise provided, it shall be unlawful for any person to smoke or use tobacco products in public places, including but not limited to the following:
- (a) Elevators and stairwells of City parking ramps. (Am. by Ord. 11,327, 8-11-95; ORD-10-00122, 12-23-10)
 - (b) Public forms of transportation, including but not limited to motor buses, taxicabs, or other public passenger vehicles. (Am. by Ord. 10,983, 9-14-94)
 - (c) Theatres, libraries, museums, auditoriums, and convention halls, which are used by or open to the public. (Am. by Ord. 13,604, 5-11-04)
 - (d) Any childcare facility. Incorporated herein by reference are the following Wisconsin statutory and administrative code sections and any amendments or renumbering thereof: Wis. Stat. Secs. 101.123(1)(ad) and (2)(bm); Wis. Admin. Code Secs. SPS 345.02(4), 345.06(8)(g), 346.03(13), 346.06(2)(h), and 346.08(2)(c). (Am. by Ord. 11,091, 12-22-94; ORD-12-00035, 3-28-12)

- (e) Retail stores.
 - (f) Health care facilities. (Am. by Ord. 6208, 3-29-78; Ord. 12,571, 5-3-00)
 - (g) Waiting rooms, hallways, rooms of health care laboratories.
 - (h) Waiting rooms, hallways, rooms in offices of any physician, dentist, psychologist, chiropractor, optometrist or optician, or other medical services provider.
 - (i) Meeting and conference rooms in which people gather for educational, business, professional, union, governmental, recreational, political or social purposes. (Am. by Ord. 5694, 12-28-76; Ord. 12,571, 5-3-00)
 - (j) Polling places. (Am. by Ord. 12,571, 5-3-00)
 - (k) Service lobbies, waiting areas, and the common areas open to the public of financial institutions, business and professional offices, and multi-unit commercial facilities. (Cr. by Ord. 5694, 12-28-76)
 - (l) Self-service laundry facilities. (Cr. by Ord. 5694, 12-28-76)
 - (m) Enclosed, indoor areas of restaurants. (Am. by Ord. 11,558, 3-29-96, 4-4-96; Ord. 12,571, 5-3-00; Ord. 13,195, 12-10-02; Ord. 13,604, 5-11-04)
 - (n) Common areas of malls. (Cr. by Ord. 10,199, 2-14-91; Am. by Ord. 12,571, 5-3-00)
 - (o) Public bus and transfer point shelters. (Cr. by Ord. 10,615, 3-31-93; Am. by Ord. 12,571, 5-3-00)
 - (p) Common areas of buildings which contain three or more rental units. Written Rental Agreements shall include reference to this subdivision. Subsection (9)(b) shall not apply to this subdivision. (Cr. by Ord. 10,237, 4-12-91; Am. by Ord. 12,923, 11-23-01; Ord. 13,604, 5-11-04)
 - (q) City buildings. (Am. by Ords. 10,633 & 10,634, 4-16-93; Ord. 10,656, 5-29-93; Ord. 10,895, 5-2-94; Ord. 12,571, 5-3-00; Ord. 12,794, 4-9-01; Ord. 12,832, 6-6-01)
 - (r) City-owned or leased motor vehicles. (Cr. by Ord. 10,247, 4-26-91; Am. by Ord. 12,571, 5-3-00)
 - (s) Sports arenas. (Cr. by Ord. 13,195, 12-10-02; R. by Ord. 13,604, 5-11-04)
 - (t) Taverns. (Cr. by Ord. 13,604, 5-11-04)
 - (u) All areas in bed and breakfast establishments, hotels and motels. (Cr. by Ord. 13,604, 5-11-04; Am. by ORD-10-00067, 7-13-10)
- (Sec. 23.05(3) Am. by Ord. 10,679, 6-11-93; Am. by Ord. 12,571, 5-3-00; Am. by Ord. 12,938, 12-11-01)
- (4) Prohibition of Smoking in Outdoor Areas. It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas.
- (a) Outside the City-County Building:
 1. Between the public sidewalk and the Martin Luther King, Jr. Boulevard side of the building including but not limited to the entrance steps, the planters, and all cement areas adjacent to the building;
 2. Between the public sidewalk and the West Wilson Street side of the building, including but not limited to the entrance steps, the planters, and all cement areas adjacent to the building.
 (Cr. by Ord. 11,023, 10-31-94; Am. by Ord. 12,794, 4-9-01)
 - (b) Within twenty-five (25) feet of any entrance, outdoor air intake or operable window of the Madison Downtown Public Library, known as the Central Library. (Cr. by Ord. 12,167, 7-20-98; Am. by ORD-13-00139, 8-14-13)

- (c) In addition to Subdivisions (a) and (b), outside at least one entrance to all City buildings.
 1. Within forty-five (45) days of adoption of this subdivision, all current employees of each City building shall designate, by majority vote, which entrance(s) shall be smokefree.
 2. No more than one entrance may be designated as a smoking area.
 3. This subsection shall be effective sixty (60) days after publication.

(Cr. by Ord. 12,832, 6-6-01)

- (d) City parks and beaches as posted and so designated by the Park Commission. (Cr. by Ord. 12,784, 3-28-01; Renumbered by Ord. 12,832, 6-6-01)
- (e) Within ten (10) feet of all entrances to City parking ramps. (Cr. by ORD-10-00122, 12-23-10)
- (f) On Henry Vilas Zoo property, including all of the buildings. (Cr. by ORD-11-00168, 12-6-11)

(Former Sec. 23.05(3)(s) Am. and Renum. to Sec. 23.05(4) by Ord. 12,571, 5-3-00)

(5) Prohibition of Smoking in Educational Facilities. It shall be unlawful for any person to smoke or otherwise use any tobacco products:

- (a) In all educational facilities and in or upon all other premises owned, rented by or under the control of a school board.
- (b) In or upon all premises of the Madison Area Technical College, including all buildings owned or operated by the district for the primary purpose of vocational, technical or adult education. This includes outdoor areas between the public sidewalks and buildings.

(Am. by Ord. 11,091, 12-22-94; Am. and Renum. by Ord. 12,571, 5-3-00; Am. by Ord. 12,938, 12-11-01; Ord. 13,510, 2-10-04)

(6) Prohibition of Smoking in Places of Employment

- (a) It shall be unlawful for any person to smoke or otherwise use any tobacco products in all places of employment.
- (b) Every building which is a place of employment shall have at least one entrance which is smokefree. For buildings with fewer than four (4) entrances, no more than one entrance may be designated as a smoking entrance. For buildings with four (4) or more entrances, no more than 25% of all entrances may be designated as a smoking entrance.
- (c) Each employer, operator, manager, lessee or other person having control of the place of employment shall make reasonable efforts to ensure a smokefree workplace for all employees and frequenters.
- (d) Within ninety (90) days of the effective date of this ordinance, each employer having a place of employment located within the City of Madison shall adopt, implement and communicate written notice of the provisions of this ordinance to each employee.
- (e) Reserved for Future Use. (R. by ORD-10-00067, 7-13-10)
- (f) Reserved for Future Use. (R. by ORD-10-00067, 7-13-10)

(New Sec. 23.05(6) Cr. by Ord. 12,938, 12-11-01)

(7) Exceptions. The following areas shall not be subject to the smoking restrictions of this section:

- (a) Retail tobacco stores in existence on June 3, 2009 and in which only the smoking of cigars and pipes is allowed.
- (b) Tobacco bar, subject to the following:
 1. The Tobacco bar was in existence on June 3, 2009;
 2. Smoking of tobacco products is permitted;
 3. Smoking of cigarettes and service of food are not permitted;
 4. Fifteen percent (15%) or more of the tobacco bar's total gross income from the previous fiscal year was from the on-site sale of tobacco products, not including any sales from vending machines;

5. To qualify for this exemption the owner must file written proof subscribed and sworn to by a Certified Public Accountant certifying the tobacco bar's total gross income and the percentage of tobacco product sales from the tobacco bar. The City Clerk or City Attorney may request further information, including an audit of the tobacco bar's records, if there is reason to believe the financial data may not be accurate;
 6. This exemption is only in effect from the date of initial application until June 30, and then from July 1 to June 30, of each year. An application for this exemption must be made annually by April 15th of the application year. To qualify for an annual exemption the tobacco bar must provide written proof subscribed to and sworn by a Certified Public Accountant certifying that fifteen percent (15%) or more of the tobacco bar's total gross income from the preceding year was from the on-site sale of tobacco products, not including any sales from vending machines;
 7. Tobacco bars shall display signs, in accordance with the standards in this section, that state that cigars and pipes may be smoked in the tobacco bar, that cigarettes may not be smoked in the tobacco bar, and warning of the dangers of secondhand smoke, in language and form as approved by the Director of Public Health Madison and Dane County. (Am. by ORD-15-00009, 1-28-15)
- (c) Retail electronic delivery device stores subject to the following:
1. The store may provide electronic delivery devices and accessories for the purposes of sampling;
 2. The store must have an entrance opening directly to the outside;
 3. Smoking of tobacco products is prohibited; and
 4. Service of food is not permitted.

(Sec. 23.05(7)(c) Cr. by ORD-15-00007, 1-14-15)

(Am. by ORD-06-00033, 4-7-06; Rep. 28.05(7)(a) & Renum. (b)-(f) to (a)-(e) by ORD-09-00147, 11-6-09; Rep. Sec. 28.05(7)(b), (c), 9d) and Renum. (e) to (b) by ORD-10-00067, 7-13-10)

(Sec. 23.05(7) Am. by Ord. 12,571, 5-3-00; Renum. from 23.05(6) & Am. by Ord. 12,938, 12-11-01; Am. by Ord. 13,195, 12-10-02; Ord. 13,604, 5-11-04; ORD-10-00067, 7-13-10)

(8) Signage.

- (a) Signs prohibiting shall be posted conspicuously at every building, structure, or public place entrance 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. (Am. by Ord. 12,938, 12-11-01; ORD-11-00065, 5-13-11)
- (b) It shall be unlawful for any person to remove, deface, or destroy any sign required by this Section, or to smoke in any place where any such sign is posted. (Renumbered by Ord. 12,796, 4-9-01; Renumbered by ORD-11-00065, 5-13-11)
(Am. and Renumbered by Ord. 12,571, 5-3-00; Am. and Renumbered by Ord. 12,938, 12-11-01)

- (9) Enforcement.
 - (a) The Director of Public Health Madison and Dane County or designee and the Chief of Police or designee, shall have the power, whenever they may deem it necessary, to enter upon the premises named in this section to ascertain whether the premises are in compliance with this ordinance. A compliance time of not less than one week shall be granted. Enforcement may be by citation, as permitted by Sec. 1.08, MGO, or through issuance of a summons and complaint. (Renum. and Am. by Ord. 10,163, 12-28-90; Renumbered and Am. by Ord. 12,571, 5-3-00)
 - (b) The proprietor, employer or other person in charge of premises regulated hereunder, upon either observing or being advised of a violation, shall make reasonable efforts to prevent smoking in prohibited areas by:
 - 1. Approaching smokers who fail to voluntarily comply with this section and requesting that they extinguish their cigarette or tobacco product and refrain from smoking, or
 - 2. Refusing service to anyone smoking in a prohibited area.
(Cr. by Ord. 12,796, 4-9-01)
 - (c) Any person who desires to register a complaint under this section may contact Public Health Madison and Dane County or the Police Department.
 - (d) Ashtrays, cigarette vending machines and other smoking paraphernalia shall not be located in areas where smoking is prohibited.
(Am. and Renum. by Ord. 12,571, 5-3-00; Am. and Renum. by Ord. 12,938, 12-11-01; Am. by ORD-15-00009, 1-28-15)

(10) Retaliation Prohibited. No person shall discharge, refuse to hire, refuse to serve or in any other manner retaliate against any employee, applicant for employment, customer, service user, business patron or any other person because that person exercises any rights afforded by this section. (Cr. by Ord. 12,938, 12-11-01)

(11) Violations and Penalties.

- (a) General. Any person who violates any of the provisions of this section may be subject to a forfeiture of no more than one hundred and twenty-five dollars (\$125) for the first offense and no more than five hundred dollars (\$500) for the second and subsequent offenses. Each day that a violation occurs shall be considered a separate offense.

(Sec. 23.05(8) Renumbered to (9) and Am. by Ord. 12,571, 5-3-00; Ord. 12,795, 4-9-01; Renumbered to (11) by Ord. 12,938, 12-11-01; Ord. 13.604, 5-11-04)]

(12) Clean Indoor Air.

- (a) Intent and Construction. The City of Madison finds that it is in the interests of the health, safety and welfare of the community to adopt by reference Wis. Stat. § 101.123, and subsequent amendments, additions and recodifications. It is the intent of the Common Council that where there may be conflict between Wis. Stat. § 101.123 and Sec. 23.05, MGO, that the most restrictive section shall apply. This ordinance shall not be construed to mean that progressive discipline of City employees for violations of laws, rules, and regulations is only authorized where explicitly provided by ordinance.
- (b) Penalty. The penalties provided by Wis. Stat. § 101.123 shall be in addition to the penalties provided for violation of Sec. 23.05 when a person has violated both laws. In addition to the penalties provided by Sec. 23.05 and Wis. Stat. § 101.123, any City employee who violates any provision of Sec. 23.05 or Wis. Stat. § 101.123, may also be subject to progressive discipline by his or her employer.

(Sec. 23.05(9) Renumbered to (10) by Ord. 10,163, 12-28-90; Renumbered to (12) and Am. by Ord. 12,938, 12-11-01)

- (13) Severability. The provisions of this section are severable. If any provision of this section is held to be invalid or unconstitutional or if the application of any provision of this section to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the other provisions or applications of this section which can be given effect without the invalid or unconstitutional provisions or applications. It is hereby declared to be the intent of the Common Council that this section would have been adopted had any invalid or unconstitutional provision or applications not been included herein. (Cr. by Ord. 11,558, 3-29-96, 4-4-96; Renumbered to (13) by Ord. 12,938, 12-11-01)
- (14) Notwithstanding any other provision of the Madison General Ordinances, the City Attorney is authorized to institute and prosecute actions seeking to enjoin repeated violations of this section. (Cr. by ORD-10-00067, 7-13-10)

23.06 DAMAGE TO PROPERTY.

- (1) Definitions. In this section:
- (a) "Intentionally" shall mean that the actor either has a purpose to do the thing or cause the result specified, or is aware that her or his conduct is practically certain to cause that result. In addition, the actor must have knowledge of those facts which are necessary to make their conduct unlawful and which are set forth after the word "intentionally".
 - (b) "Graffiti" shall mean any writing, printing, marks, signs, symbols, figures, designs, inscriptions, or other drawings which are scrawled, painted, drawn or otherwise placed on any surface of a building, wall, fence, sidewalk, curb or other structure on public or private property which have the effect of defacing the property, but shall not include scratchiti as defined in Section 23.065. (Am. by ORD-06-00032, 4-7-06)
- (2) It shall be unlawful for any person to intentionally cause damage to any physical property of another without the person's consent.
- (3) If more than one item of property is damaged under a single intent and design, the damage to all of the property may be prosecuted as a single offense.
- (4) In any case of unlawful damage involving more than one act of unlawful damage, but prosecuted as a single offense, it is sufficient to allege generally that unlawful damage to property was committed between certain dates. At the trial, evidence may be given of any such unlawful damage that was committed on or between the dates alleged.
- (5) It shall be unlawful for any person to intentionally place graffiti on any surface located on public or private property.

Chapter 17.36

SMOKING

Sections:

- 17.36.010 Smoking defined.
- 17.36.020 Chief to designate areas where smoking shall be prohibited.
- 17.36.030 No smoking signs.
- 17.36.040 Smoking and removal of no smoking signs prohibited.

17.36.010 Definitions. When used in this chapter, the following words shall have the following meanings:

(a) “Electronic delivery device” shall have the meaning set forth in section 2.90.010(c) of this code.

(b) “Smoke” or “smoking” shall have the meaning set forth in section 2.90.010(d) of this code. (Ord. 61-5694 §7(part), 2016; Ord. 61-5320 §1, 2007, File No. 92-1019.)

17.36.020 Chief to designate areas where smoking shall be prohibited. Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the chief of the fire department is empowered and authorized to order the owner or occupant in writing to post “No Smoking” signs in each building, structure, room or place in which smoking shall be prohibited. The chief of the fire department shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted. (Ord. 61-5320 §1, 2007, File No. 92-1019.)

17.36.030 No smoking signs. “No Smoking” signs required in accordance with section 17.36.020 shall read “By Order of the Chief of the Fire Department.” (Ord. 61-5320 §1, 2007, File No. 92-1019.)

17.36.040 Smoking and removal of no smoking signs prohibited. No person shall remove any legally required “No Smoking” sign or smoke in any place, where such signs are posted. (Ord. 61-5320 §1, 2007, File No. 92-1019.)

Chapter 2.90

SMOKING IN GOVERNMENT BUILDINGS

Sections:

- 2.90.010 Definitions.
- 2.90.020 Smoking prohibited.
- 2.90.030 Penalty.

2.90.010 Definitions. When used in this chapter, the following words have the following meanings:

(a) "City-owned facility" means a city-owned structure and any and all stairways and approaches to that structure, and specifically includes all park shelters located in city parks.

(b) "City-owned vehicle" means any motor vehicle or commercial motor vehicle as those words are defined in Section 340.01 of the Wisconsin Statutes, which has on the title the city of Wausau as owner of that vehicle.

(c) "Electronic delivery device" means any product containing or delivering nicotine or other similar substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. Electronic delivery device includes any device manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or description, or any component part of such product whether or not sold separately. Electronic delivery device does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold solely for such an approved purpose.

(d) "Smoke" or "smoking" means burning, holding, inhaling, exhaling or carrying any lighted or heated cigar, cigarette, pipe or heated tobacco or plant product intended for inhalation, whether natural, or synthetic, in any manner or form. Smoking includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or form, or the use of any oral smoking device.

(e) "Cigarette" means any roll of tobacco wrapped in paper or any substance other than tobacco.

(f) "Tobacco products" means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes, as defined under Section 139.30(1) of the Wisconsin Statutes.

(g) "Smokeless tobacco" means any tobacco which is used by means other than smoking. (Ord. 61-5694 §1(part), 2016; Ord. 61-4828 §1(part), 1994; Ord. 61-4672 §1(part), 1989.)

2.90.020 Smoking prohibited. No person may smoke, use smokeless tobacco, or use tobacco products within any city-owned facility except for those areas that are specifically leased to private entities, and specifically excluding Athletic Park when it is being utilized for Wausau Woodchucks baseball games. No person may smoke, use smokeless tobacco, or use tobacco products within any city-owned vehicle. (Ord. 61-5694 §2(part), 2016; Ord. 61-4828 §1(part), 1994; Ord. 61-4770 §1, 1992; Ord. 61-4694 §1, 1989; Ord. 61-4672 §1(part), 1989.)

2.90.030 Penalty. The penalty for violation of any provision of this chapter shall be a forfeiture of not more than two hundred dollars for each separate incident, and the municipal bail bond forfeiture shall be twenty-five dollars plus all assessments and costs. (Ord. 61-4828 §1(part), 1994; Ord. 61-4672 §1(part), 1989.)

Chapter 2.95

PROHIBITION OF SMOKING ON SCHOOL PROPERTY

Sections:

- 2.95.010 Definitions.
- 2.95.020 Policy statement.
- 2.95.030 Smoking prohibited.
- 2.95.040 Penalty.

2.95.010 Definitions. When used in this chapter, the following words shall have the following meanings:

- (a) “Electronic delivery device” shall have the meaning set forth in section 2.90.010(c) of this code.
- (b) “School property” means any property which is presently owned, rented by and/or titled in the Wausau School District or property which is under the direct control and authority of the Wausau School District.
- (c) “Smoke” or “smoking” shall have the meaning set forth in section 2.90.010(d) of this code.
- (d) “Smokeless tobacco” means any tobacco which is used by means other than smoking. (Ord. 61-5694 §3(part), 2016; Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.020 Policy statement. All buildings, grounds, and other property owned or rented by the Wausau School District, are declared to be nonsmoking areas in which no smoking or use of smokeless tobacco or any other tobacco product, as defined in this chapter, shall be used. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.030 Smoking prohibited. No person may smoke or use any other tobacco product on any property presently owned, rented by and/or titled in the Wausau School District or upon which the Wausau School District has direct control and authority over, except that the school board may allow the use of tobacco products on premises owned by the school district and rented to another for noneducational purposes. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

2.95.040 Penalty. The penalty for violation of any provisions of this chapter shall be a forfeiture of not more than two hundred dollars. (Ord. 61-4725 §1(part), 1990; Ord. 61-4617 §1(part), 1987.)

ORDINANCE NO. 2015-609

An Ordinance prohibiting the use of electronic smoking devices and smoking in or near certain City and School District property with penalties as set forth in newly created J.G.O. 8.76.040 and 8.74.070.

THE COMMON COUNCIL OF THE CITY OF JANESVILLE DO ORDAIN AS FOLLOWS:

SECTION I. Chapter 8.76 of the Code of General Ordinances of the City of Janesville is hereby created to read as follows:

Chapter 8.76

PROHIBITION ON USE OF ELECTRONIC SMOKING DEVICES

Sections:

8.76.010	Intent and purpose
8.76.020	Definitions
8.76.030	Prohibition on Use of Electronic Smoking Devices
8.76.040	Violation – Penalty

8.76.010 Intent and purpose. The Common Council of the City of Janesville hereby find that:

A. While electronic smoking devices are currently unregulated by the United States Food and Drug Administration, the use by and sale to children of electronic smoking devices containing nicotine (“nicotine products”) is prohibited by Wisconsin law and Janesville ordinance.

B. Several other states, counties, and municipalities have already taken action to prohibit the use of electronic smoking devices in certain locations.

C. This Chapter incorporates by reference as if fully set forth herein verbatim the factual findings of the states, counties, and municipalities that have investigated, documented, and/or made independent findings and conclusions concerning the health effects and concerns arising from and/or pertaining to the use of electronic smoking devices.

D. The American Cancer Society Cancer Action Network advocates for smoke-free laws, including electronic smoking devices and supposed nicotine-free electronic smoking devices, in all workplaces to protect workers and the public from the harmful effects of secondhand exposure and states that preliminary studies indicate that nonusers can be exposed to the same potentially harmful chemicals as users, including nicotine, ultrafine particles and volatile organic compounds, which could be especially problematic for children, pregnant women, and people with heart disease.

E. A 2009 study by the United States Food and Drug Administration found cancer-causing substances in several of the electronic smoking devices tested and found nicotine in some electronic smoking devices that claimed to contain no nicotine.

F. This ordinance is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of Janesville, especially recognizing the rights of those who do not use electronic smoking devices, who constitute a majority of the population; educating citizens affected by this ordinance; and assisting individuals in maintaining compliance.

8.76.020 Definitions. For the purposes of this chapter:

A. **“Electronic smoking device”** means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

B. **“School buildings”** are buildings under the control of a school board.

8.76.030 Prohibition on Use of Electronic Smoking Devices No person may use an electronic smoking device in any of the following locations:

1. City or School buildings or within 25 feet of an entrance to a City or School building.
2. Anywhere on the property of the Janesville Senior Center or Hedberg Public Library.
3. City bus shelters.
4. City buses.
5. City pools, which shall include the entire fenced in area around the pools.
6. City splash pads, which includes the wet and dry deck.
7. City skate park, which shall include the entire cement area around the skate park.

8.76.040 Violation--Penalty. Any person who violates any provision of this Chapter shall be subject to a forfeiture of not less than One Hundred Dollars (\$100) nor more than Two Hundred Fifty Dollars (\$250) for each violation together with the costs of prosecution, for each offense, or, in default of payment of such penalty shall be imprisoned for no more than sixty days for each violation in addition to such other penalties, remedies, sanctions and relief as may be, from time to time, provided by law.

SECTION II. Section 8.74.040(B) of the Code of General Ordinances of the City of Janesville is hereby amended to read as follows:

8.74.040 Prohibition Against Smoking.

- B. No person may smoke at any of the following outdoor locations:
1. Anywhere on the premises of a child care center when children who are receiving child care services are present.
 2. Anywhere on the grounds of a Type 1 juvenile correctional facility.
 3. A location that is 25 feet or less from a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System.
 4. A location that is 25 feet or less from an entrance to a City building or anywhere on the property of the Janesville Senior Center or Hedberg Public Library. If a

restaurant, tavern, private club, or retail establishment is located within this area the person in charge of such establishment may designate an outside area that is a reasonable distance from any entrance to the establishment where customers, employees, or persons associated with the establishment may smoke.

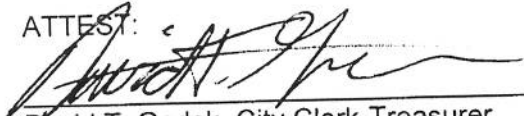
5. At a City splash pad, which includes the wet and dry deck, or at the City skate park, which shall include the entire cement area around the skate park. If a restaurant, tavern, private club, or retail establishment is located within this area the person in charge of such establishment may designate an outside area that is a reasonable distance from any entrance to the establishment where customers, employees, or persons associated with the establishment may smoke.

ADOPTED: June 22, 2015

APPROVED:


Mark Freitag, City Manager

ATTEST:


David T. Godek, City Clerk-Treasurer

APPROVED AS TO FORM:


Tim Wellnitz, Assistant City Attorney

Proposed by: City Manager's Office
Prepared by: Assistant City Attorney

Motion by: Gruber				
Second by: Liebert				
Councilmember	Aye	Nay	Pass	Absent
Bobzien	X			
Deupree				X
Farrell	X			
Gruber	X			
Liebert	X			
Marklein	X			
Tidwell	X			

- (a) necessary for the preservation of property or of the health, safety, life or limb of any person; or
- (b) otherwise required or permitted by law; or
- (c) produced as a necessary result of the reasonable operation of any activity otherwise regulated by law; or
- (d) produced as a result of any agricultural activity.

34.05 POSSESSION OF FIREWORKS REGULATED. (1) No person shall bring upon or have in his or her possession any fireworks containing any explosive or flammable compound or any other explosive upon any lands owned or leased by the County of Dane, except as authorized by a valid permit issued pursuant to section 167.10(2)(a) of the Wisconsin Statutes. This section shall not be construed to conflict with section 167.10 of the statutes.

(2) *Statutory offenses adopted.* (a) This subsection is intended to provide a prosecutorial alternative for acts which may otherwise be violations of state law.

(b) The provisions of sec. 167.10, Wis. Stats., and any subsequent amendments thereto are adopted. Any act required to be performed under the statute is required by this ordinance, and any act prohibited by the statute is prohibited by this ordinance.

State Law Reference: Section 167.10, Wis. Stats., 60 Op. A.G. 238 (1971).

[History: 34.05 am., OA 27, 2007-08, pub. 10/26/07.]

34.06 SAFETY AT SPORTING EVENTS. (1) As used in this section, the following words and phrases have the meanings indicated:

- (a) *Alcohol beverages* means fermented malt beverages and intoxicating liquor.
 - (b) *Facility* means building or stadium in Dane County.
 - (c) *Fermented malt beverages* has the meaning designated in s. 125.02(6), Wis. Stats.
 - (d) *Intoxicating liquor* has the meaning designated in s. 125.02(8), Wis. Stats.
 - (e) *Passing* includes pushing, pulling, throwing and moving.
 - (f) *Sports facility* means a facility where sporting events are held, regardless of whether that is the exclusive use of the facility.
- (2) A spectator at a sporting event at a sports facility shall not participate in the process of passing another person above the floor or ground from one location to another.

(3) A spectator at a sporting event at a sports facility shall not participate in the process of passing bleachers, seats or other objects in a manner which threatens the safety of other persons.

(4) A spectator shall not bring alcohol beverages into a sports facility where there is a sporting event at the sports facility.

(5) A spectator shall not consume alcohol beverages at a sporting event at a sports facility if the alcohol beverages were brought to the facility as specified in subsection (4).

(6) Subsections (4) and (5) do not apply to any vendor or other person who brings alcohol beverages into a sports facility with the authorization of the person in charge of the facility.

[History: 34.06 cr., OA 28, 1985-86, eff. 06/01/86.]

34.07 SMOKING PROHIBITED IN CERTAIN AREAS. (1) *Purpose and intent.* (a) The Dane County Board of Supervisors hereby finds that:

1. It is recognized that smoking of cigarettes and tobacco products is hazardous to an individual's health and may affect the health of non-smokers when they are involuntarily in the presence of smoking.
2. Numerous scientific studies have found that tobacco smoke is a major contributor to indoor air pollution.
3. Reliable scientific findings, including those by the Surgeon General of the United States, have shown that breathing sidestream or secondhand smoke is a significant health hazard to non-smokers; particularly to children, elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.
4. Health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased respiratory function, decreased exercise tolerance, bronchoconstriction and broncho-spasm.
5. Reliable scientific studies assessed by the California Environmental Protection Agency have found that sidestream and secondhand tobacco smoke is a leading cause of premature death and disability among non-smokers.
6. Air pollution caused by smoking is an offensive annoyance and irritant. Smoking

results in serious and significant physical discomfort to non-smokers.

7. Electronic delivery devices are currently unregulated and have been proven to emit nicotine, ultra-fine particles, volatile organic compounds and other toxins. Inhalation of nicotine is proven to be dangerous to everyone, especially children and pregnant women. Exposure to ultra-fine particles may exacerbate respiratory illnesses, such as asthma and may constrict arteries which could trigger a heart attack. The volatile organic compounds, such as formaldehyde and benzene, found in electronic smoking device aerosols, as well as conventional cigarette smoke, are proven carcinogens.

(b) This ordinance is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of Dane County, especially recognizing the rights of non-smokers, who constitute a majority of the population; educating citizens affected by this ordinance; and assisting owners, operators and managers in maintaining compliance.

(2) Authority. This ordinance is enacted under the authority of sections 59.03, 59.51 and 101.123 of the Wisconsin Statutes.

(3) Definitions. As used in this section, the following words and phrases shall have the meanings indicated:

(a) Bed and breakfast establishment has the meaning set forth in sec. 254.61(3), Wis. Stats.

(b) Childcare facility means any state licensed or county certified child care facility including, but not limited to, licensed family day care or licensed group day care centers, licensed day camps, certified school-age programs and Head Start programs.

(c) Cigarette means any roll of tobacco wrapped in paper or any substance other than chewing tobacco or tobacco products.

(d) County buildings means all County-owned and operated buildings and those portions of buildings leased and operated by the County.

(e) Common areas of buildings means all areas not part of a tenant's leased premises including, but not limited to, lobbies, community rooms, hallways, laundry rooms, stairwells, elevators, enclosed parking facilities, pool areas and restrooms contiguous thereto.

(f) Common areas of malls means those areas within a mall customarily accessible to patrons.

(g) Educational facility means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

(gm) Electronic delivery device means any product containing or delivering nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

(h) Employee means any person who is employed by any employer for direct or indirect monetary wages or profit including those full-time, part-time, temporary or contracted for from a third party. Employee also means any person who serves as a volunteer for a business or nonprofit entity.

(i) Employer means any person, partnership, limited liability company, corporation or other entity, including a public or non-profit entity who employs the services of one (1) or more individual persons.

(j) Enclosed area means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from floor to ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, 'other landscaping' or similar structures.

(k) Entrance means a doorway and adjacent area which gives direct access to a building from a contiguous street, plaza, sidewalk or parking lot.

(L) Food means a raw, cooked or processed edible substance or ingredient used or intended for use or for sale in whole or in part for human consumption. It does not include ice, beverages or chewing gum.

(m) Health care facility has the meaning set forth in sec. 155.01(6), Wis. Stats.

(n) Hotel and motel has the meaning set forth in sec. 254.61(3), Wis. Stats.

(o) Mall means an enclosed, indoor area containing common areas and discrete businesses primarily devoted to the retail sale of goods and services.

(p) *Medical services* has the meaning set forth in sec. 647.01(6), Wis. Stats.

(q) *Non-smoking* means smoking is prohibited.

(r) *Person in charge* means the person who ultimately controls, governs or directs the activities aboard a public conveyance or within or at a place where smoking is regulated under this section, regardless of the person's status as owner or lessee.

(s) *Place of employment* means an enclosed area controlled by the employer, which employees normally frequent during the course of employment including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not considered a place of employment within the meaning of this ordinance unless used as a childcare facility.

(t) *Private residence* means premises owned, rented or leased for temporary or permanent habitation.

(u) *Public place* means any enclosed area to which the public is invited or in which the public is permitted. A private residence is not a public place.

(v) *Restaurant* means an establishment defined in sec. 254.61(5), Wis. Stats., in which the sale of alcohol beverages accounts for fifty percent (50%) or less of the establishment's gross receipts of the most recent alcohol licensing year, but does not mean churches, religious, fraternal, youth or patriotic organizations, service clubs and civic organizations which prepare and serve or sell meals to members and guests only. This includes restaurants within a mall and adjacent seating.

(vm) *Retail electronic delivery device store* means a retail establishment that does not have a "Class B" or "Class A" intoxicating liquor license or a "Class B" or "Class A" fermented malt beverages license and that generates seventy-five (75%) or more of its gross annual income from the retail sale of electronic delivery devices and accessories.

(w) *Room* means a space within a building completely enclosed with walls, partitions, floor and ceiling, except for openings for light, ventilation, ingress and egress.

(x) *Smoke free* means absence from the ambient air of the smoke by-product from the burning, inhaling, exhaling, using or carrying of an electronic delivery device, lighted cigarette,

cigar, pipe, weed, plant or other combustible substance, in any manner in any form.

(y) *Smoking* means to smoke or carry a lighted pipe, cigar, cigarette or tobacco-related product in any form. Smoking also includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device.

(z) *Sports arena* means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and indoor ice rinks and bowling centers.

(aa) *Tavern* means any establishment with a full service bar in which fermented malt beverages or intoxicating liquors are sold for consumption upon said premises and whose sale of alcohol beverages accounts for more than fifty percent (50%) of the establishment's gross receipts of the most recent licensing year.

(bb) *Tobacco product* means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco prepared in such a manner as to be suitable for smoking in a pipe or otherwise smoking; but tobacco product does not include cigarettes or chewing tobacco.

(cc) *Tobacco bar* means a tavern, which generates fifteen percent (15%) or more of its total annual gross income from the on-site sale of tobacco products, not including any sales from vending machines.

(4) *Prohibition of smoking in public places.* Except as otherwise provided, it shall be unlawful for any person to smoke or use tobacco products in public places including, but not limited to, the following:

(a) Elevators and enclosed stairwells of County parking ramps.

(b) Public forms of transportation including, but not limited to, motor buses, taxicabs or other public passenger vehicles.

(c) Theatres, libraries, museums, auditoriums and convention halls.

(d) Childcare facilities. Incorporated herein by reference are the following Wisconsin statutory and administrative code sections and any amendments or renumbering thereof: Sec. 101.123(1)(ad) and (2)(bm), Wis. Stats.; Secs. HFS 45.02(4), 45.06(8)(g), 46.03(13), 46.06(2)(h) and 46.08(2)(c), Wis. Admin. Code.

- (e) Retail stores.
- (f) Health care facilities.
- (g) Waiting rooms, hallways and rooms of health care laboratories.
- (h) Waiting rooms, hallways and rooms in offices of any physician, dentist, psychologist, chiropractor, optometrist or optician, or other medical services provider.
- (i) Meeting and conference rooms in which people gather for educational, business, professional, union, governmental, recreational, political or social purposes.
- (j) Polling places.
- (k) Service lobbies, waiting areas and the common areas open to the public of financial institutions, business and professional offices and multi-unit commercial facilities.
- (L) Self-service laundry facilities.
- (m) Enclosed, indoor areas of restaurants.
- (n) Common areas of malls.
- (o) Public bus and transfer point shelters.
- (p) Common areas of buildings which contain three or more rental units. Written rental agreements shall include reference to this subsection. Subsection (9)(b) shall not apply to this subsection.
- (q) County buildings.
- (r) County-owned or leased motor vehicles.
- (s) Sports arenas.
- (t) Taverns.
- (u) Common areas in bed and breakfast establishments, hotels and motels, and at least 75% of rooms that are rented to guests.
- (v) Educational facilities.
- (5) *Prohibition of smoking in outdoor areas.* It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas:
 - (a) Within a distance of 15 feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
 1. Every building where smoking is prohibited shall have at least one entrance which is smoke-free.
 - (b) County parks and beaches as posted and so designated by the Park Commission.
 - (c) Anywhere on the grounds of the Badger Prairie Health Care Center. This facility and all of its grounds are designated entirely "Smoke Free."

- (6) *Prohibition of smoking in places of employment.* It shall be unlawful for any person to smoke in all places of employment.
- (7) *Smoking paraphernalia.* Ashtrays, cigarette vending machines and other smoking paraphernalia shall not be located in areas where smoking is prohibited by this ordinance.
- (8) *Exceptions.* The following areas shall not be subject to the restrictions of this section:
 - (a) Bed and breakfast, hotel and motel rooms that are rented to guests and are designated as smoking rooms, provided that not more than twenty-five percent (25%) of rooms may be so designated.
 - (b) Private residences, except when used as a childcare or health care facility.
 - (c) Tobacco bars, subject to all of the following:
 1. Smoking of tobacco products is permitted.
 2. Smoking of cigarettes and cigars is not permitted.
 3. Fifteen percent (15%) or more of the tobacco bar's total gross income from the previous fiscal year was from the on-site sale of tobacco products, not including any sales from vending machines.
 4. To qualify for this exemption the owner must file written proof subscribed and sworn to by a certified public accountant certifying the tobacco bar's total gross income and the percentage of tobacco product sales from the tobacco bar. The director of Public Health may request further information, including an audit of the tobacco bar's records, if there is reason to believe the financial data may not be accurate.
 5. This exemption is only in effect from the date of initial application until the following June 30th, and then from July 1st to June 30th of each year thereafter, upon application. An application for this exemption must be made annually by April 15th of the application year.
 6. A tobacco bar that has not previously qualified under this subdivision, may qualify for an exemption if it provides written proof subscribed and sworn to by a certified public accountant certifying that during the previous six (6) months, fifteen percent (15%) or more of the tobacco bar's total gross income was from the on-site sale of tobacco products, not including any sales from vending machines. To qualify under this paragraph, the required certification must be filed no later than ninety (90) days after the above-mentioned six (6)

months. This exemption will be in effect through the next full licensing year. After that point in time, the tobacco bar must qualify on a yearly basis for the exemption.

7. Tobacco bars shall display signs, in accordance with the standards in sub. (9), that state that pipes may be smoked in the tobacco bar, that cigarettes may not be smoked in the tobacco bar, and warning of the dangers of secondhand smoke, in language and form as approved by the director of Public Health.

(d) Retail electronic delivery device stores subject to the following:

1. The store may provide electronic delivery devices and accessories for the purposes of sampling;
2. The store must have an entrance opening directly to the outside;
3. Smoking of tobacco products is prohibited; and
4. Service of food is not permitted.

(9) Signage. (a) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this section, said signage being posted by the owner, operator, manager or other person in control of the place.

(b) Restaurants and taverns shall post, in a conspicuous place at each entrance normally used by the public, a sign not smaller than eleven inches by eight and one-half inches (11" x 8½") stating that smoking is prohibited. 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 telephone number for the City-County Health Department and the non-emergency number for the Dane County Sheriff's Office.

(c) It shall be unlawful for any person to remove, deface or destroy any sign required by this section.

(10) Enforcement. (a) The Director of Public Health or his or her designee and the Sheriff or his or her designee shall have the authority to enter upon the premises named in this section to ascertain compliance with this ordinance. Each day that a violation exists shall constitute a separate offense. Enforcement may be by citation, as permitted by s. 2.02(10), or through referral to the corporation counsel's office for

prosecution for injunctive relief and daily forfeitures.

(b) The proprietor, employer or other person in charge of premises regulated hereunder, upon either observing or being advised of a violation, shall make reasonable efforts to prevent smoking in prohibited areas by:

1. Approaching smokers who fail to voluntarily comply with this section and requesting that they extinguish their cigarette or tobacco product and refrain from smoking, or
2. Refusing service to anyone smoking in a prohibited area, or
3. Contacting local law enforcement if the person refuses to comply if actions in 1. and 2. above are unsuccessful.

(11) Retaliation prohibited. No person shall discharge, refuse to hire, refuse to serve, or in any manner retaliate against any employee, applicant for employment, customer, service user, business patron or any other person who exercises any rights afforded by this section.

(12) Penalties. (a) A person who smokes in an area where smoking is prohibited by the provisions of this section shall be subject to a forfeiture of not more than one hundred dollars (\$100).

(b) A person who owns, manages, operates or otherwise controls a public place or place of employment and who fails to comply with the provisions of this section shall be subject to a forfeiture as follows:

1. not exceeding one hundred dollars (\$100) for a first violation;
2. not exceeding two hundred dollars (\$200) for a second violation within one (1) year; and
3. not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.

(13) Severability. Should any subsection, clause or provision of this section be declared by the courts to be invalid, the same shall not affect the validity of the section as a whole or to any part thereof, other than the part so declared to be invalid.

[History: cr., Sub. 3 to OA 28, 1990-91, pub. 03/11/91, eff. 06/01/91; (3)(d) and (3)(f) rep., OA 8, 1993-94, pub. 01/07/94; (3)(c) rep., OA 38, 1997-98, pub. 06/03/98; (1) am., Sub. 1 to OA 29, 1998-99, pub. 06/17/99; (3)(b) rep., OA 9, 2005-06, pub. 09/12/05; (3)(a) am. and (e) renum. as (b), OA 24, 2005-06, pub. 02/14/06; 34.07 rep. & recr., Sub. 2 to OA 11, 2008-09, pub. 10/10/08, eff. 08/15/09; (3)(cc) and (8)(c) cr., Sub. 1 to OA 19, 2009-10, pub. 02/01/10; (1)(a)7, (3)(gm), (3)(vm), and (8)(d) cr., (3)(x) and (y) am., 2015 OA-4, pub. 10/13/15.]

Use of County Property & Equipment

Green Lake County Highway Department

Location: Shop 1 - Green Lake

Equipment to be used: N/A

Start Date: 9/24/16

End Date: 9/25/16

Requested By: Liane Walsh, Green Lake Chamber of Commerce

Event: Harvest Fest

Additional Information: Use of grounds for Parade Line-Up on 9/24/16

Use of grounds for Car Show on 9/25/16

Please open west gate and north bathrooms

Approved by Highway: 7/13/16

Approved by P&I:

PROPOSAL

CUSTOFOAM CORPORATION

N4929 HWY 58
Mauston, WI 53948-9361
Phone 800-344-1232
Fax 608-847-6739

Scott Weir
Green Lake County
571 County Rd A
Green Lake, WI 54941-3188
920-294-4012
920-294-4016-Fax
920-229-5119-Cell

Sept. 3, 2015

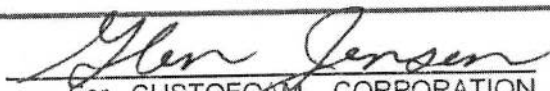
Specifications: for Metal Roof restoration on approx. 2,445 sq. ft. with corrugation
Building #1

1. Power wash existing roof.
2. Repair or replace loose or failing fasteners.
3. Spot prime corroded areas with Karnak coatings rust primer.
4. Repair crimped areas with fabric backed butyl tape and butter-grade sealant.
5. Apply Karnaflex seam filler to all vertical and horizontal seams, fasteners, and around all roof penetrations. Use additional polyester reinforcement as needed.
6. Apply 2 coats of Karnak Coatings elastomeric roof coating to entire surface at approx. 1.5 gals. Per 100 sq. ft. of coverage.
7. Finish color to be silver/energy star approved.
8. Warranty covered for a 5 year period by Pro-Tech/Karnak Coatings.

<u>All Labor and Materials</u>	<u>\$9,965.00</u>
<u>Add building #2</u>	<u>\$14,455.00</u>
<u>Add building #3</u>	<u>\$18,480.00</u>
<u>If all 3 buildings are done at the same time</u>	<u>\$41,500.00</u>

As required by the Wisconsin Construction Lien Law, builder hereby notifies owner that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings, if not paid. Those entitled to lien rights, in addition to the undersigned builder, are those who contract directly with the owner or those who give the owner notice within 60 days after they first furnish labor or materials for the construction. Accordingly, owner will receive notice from those who furnish labor or materials for the construction, and should give a copy of each notice received to his mortgage lender, if any. Builder agrees to cooperate with the owner and his lender, if any, to see that all potential lien claimants are duly paid.

AUTHORIZED SIGNATURE



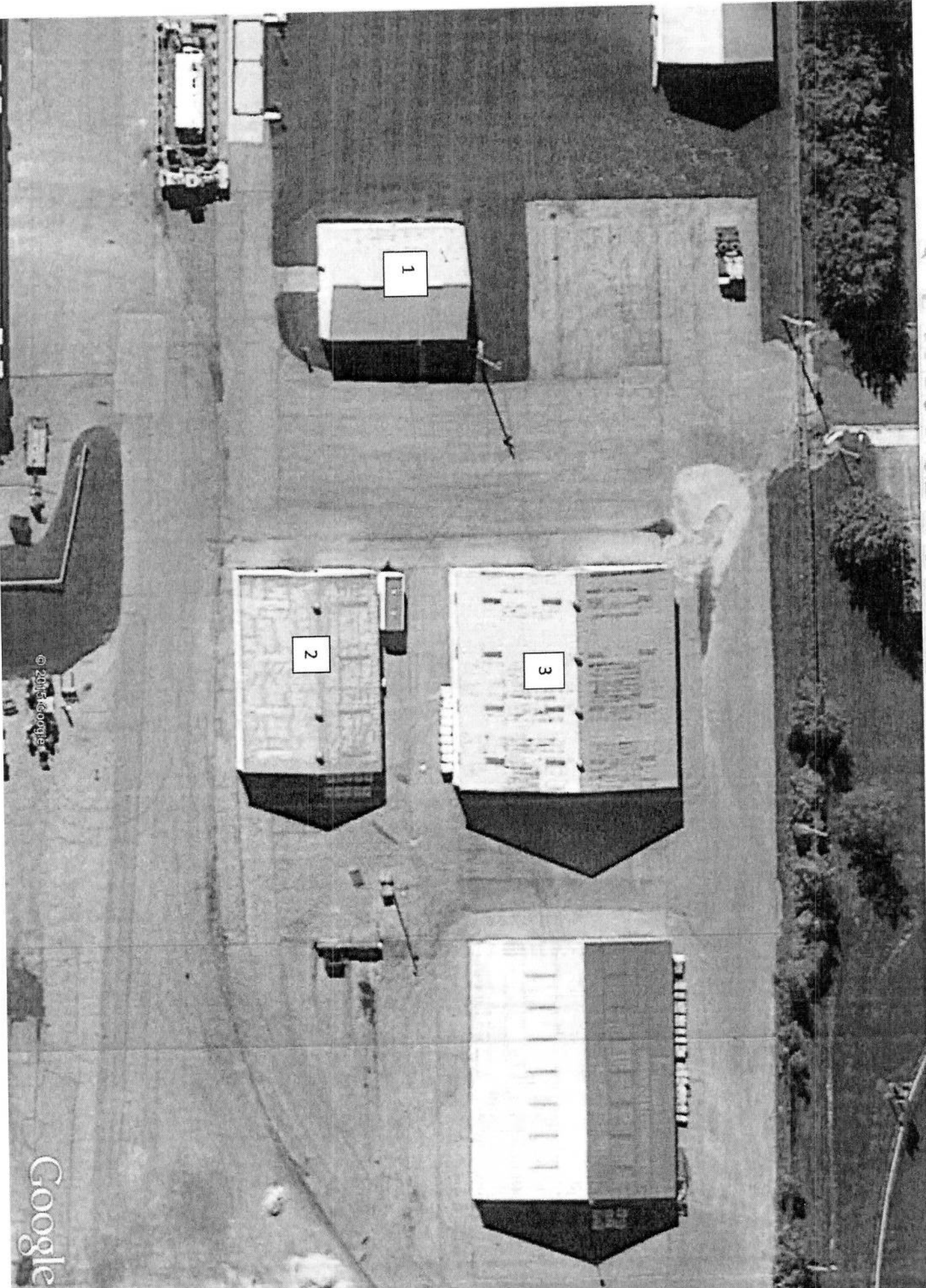
For CUSTOFOAM CORPORATION
Glen Jensen
Project Development

NOTE: This proposal may be withdrawn if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

I hereby certify that the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE _____
DATE _____



BUDGET REQUEST - 2017

DEPARTMENT: MAINTENANCE

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2016		2017		
		ACTUAL	BUDGET	6 MO YTD	EST YR END	APPROVED
17-100-06-51600-110-000	Salaries	296,548.93	295,880.00	131,256.46	295,880.00	295,880.00
17-100-06-51600-123-000	Shift Differential	954.00	624.00	414.00	624.00	624.00
17-100-06-51600-125-000	Overtime	101.34	0.00	0.00	0.00	0.00
17-100-06-51600-151-000	Social Security	21,508.77	22,682.56	10,961.97	22,682.56	22,682.56
17-100-06-51600-153-000	Ret. Employer Share	19,834.67	19,569.26	9,805.90	19,569.26	19,569.26
17-100-06-51600-154-000	Health Insurance	97,825.22	97,622.79	52,936.44	97,622.79	97,622.79
17-100-06-51600-155-000	Life Insurance	1,019.41	1,057.56	534.06	1,057.56	1,057.56
17-100-06-51600-206-000	Service Contracts	19,383.33	16,505.00	11,718.97	16,505.00	18,970.00
17-100-06-51600-209-000	Contracted Services	11,753.38	13,260.00	4,936.38	13,260.00	13,260.00
17-100-06-51600-245-000	Grounds & Ground Improvements	3,308.85	6,320.00	1,327.65	6,320.00	6,320.00
17-100-06-51600-247-000	Maintenance General	10,372.60	15,465.00	3,048.00	15,465.00	13,000.00
17-100-06-51600-247-004	Maintenance Lake Steel	441.13	1,360.00	424.93	1,360.00	1,360.00
17-100-06-51600-247-005	Maintenance Highway	4,187.20	4,800.00	3,666.19	4,800.00	5,200.00
17-100-06-51600-247-006	Maintenance 571 County Road A	12,381.79	12,000.00	10,376.10	12,000.00	12,000.00
17-100-06-51600-247-847	Maintenance FRI	953.05	1,900.00	159.28	1,900.00	1,500.00
17-100-06-51600-307-000	Training	1,186.95	1,800.00	0.00	1,800.00	1,500.00
17-100-06-51600-344-000	Janitorial Supplies	11,437.78	10,950.00	8,283.83	10,950.00	10,950.00
17-100-06-51600-352-000	Vehicle Maintenance	1,622.58	3,865.00	286.88	3,865.00	3,865.00
17-100-06-51600-810-000	Capital Equipment	9,734.00	16,780.00	10,734.00	16,780.00	18,600.00
17-100-06-51600-811-000	Capital Improvements	6,756.42	6,520.00	5,632.67	6,520.00	5,000.00
		531,311.40	548,961.17	266,503.71	548,961.17	548,961.17

2015
 Total Proposed Budget: 544,402.15
 Total Offsetting Revenues: 0.00
 Total from County Tax Levy: 544,402.15
 Increase (Decrease) 3,702.26

2016
 548,961.17
 0.00
 548,961.17
 4,559.02

2017
 548,961.17
 0.00
 548,961.17
 (0.00)

BUDGET REQUEST - 2017

DEPARTMENT: MAINTENANCE

COMMITTEE: PROPERTY & INSURANCE

REVENUE

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	6 MO YTD	2016 EST YR END	2017 APPROVED
17-100-06-46900-000-000	Other Public Charges	0.00	0.00	0.00	0.00	0.00
17-100-06-48107-000-000	Sale of Recyclable Materials	97.02	0.00	0.00	0.00	0.00
		97.02	0.00	0.00	0.00	0.00

BUDGET REQUEST - 2017

DEPARTMENT: PARKS

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2015		2016		6 MO YTD	2016		2017
		ACTUAL	BUDGET	BUDGET	EST YR END		REQUESTED		
17-100-12-55200-120-000	Wages	8,118.22	12,183.66	12,183.66	828.86	12,183.66	12,183.66	12,183.66	
17-100-12-55200-151-000	Social Security	621.05	932.05	932.05	63.41	932.05	932.05	932.05	
17-100-12-55200-222-000	Electrical	2,438.84	2,900.00	2,900.00	1,218.17	2,900.00	2,900.00	2,900.00	
17-100-12-55200-245-120	Parks Improvements	150.00	9,000.00	9,000.00	333.17	9,000.00	9,000.00	5,000.00	
17-100-12-52200-246-000	Snowmobile Trail Maintenance	21,239.92	29,950.00	29,950.00	0.00	29,950.00	29,950.00	29,950.00	
17-100-12-55200-248-000	Wildlife Habitat Mgmt	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	
17-100-12-55200-301-000	Green Lake Trail Project	0.00	400,000.00	400,000.00	21,930.00	400,000.00	400,000.00	400,000.00	
17-100-12-55200-350-000	Repair and Maintenance Service	20,187.81	35,000.00	35,000.00	13,909.93	35,000.00	35,000.00	25,000.00	
17-100-12-55200-350-360	Boat Launch Maintenance	1,726.45	19,000.00	19,000.00	1,908.13	19,000.00	19,000.00	19,000.00	
17-100-12-55200-534-000	Machinery Rental	1,173.17	2,000.00	2,000.00	1,426.71	2,000.00	2,000.00	2,000.00	
17-100-12-55200-810-000	Equipment	3,032.17	3,049.00	3,049.00	871.98	3,049.00	3,049.00	17,049.00	
		59,687.63	515,014.71	515,014.71	43,490.36	515,014.71	515,014.71	515,014.71	

Total Proposed Budget:	2015	115,014.71	2016	115,014.71	2017	515,014.71
Total Offsetting Revenues:		57,950.00		57,950.00		457,950.00
Total from County Tax Levy:		57,064.71		57,064.71		57,064.71
Increase (Decrease)		0.00		0.00		0.00

BUDGET REQUEST - 2017

DEPARTMENT: PARKS

COMMITTEE: PROPERTY & INSURANCE

REVENUE

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	6 MO YTD	2016 EST YR END	2017 REQUESTED
17-100-12-43571-000-000	Snowmobile Trail Aids	21,239.92	29,950.00	0.00	29,950.00	29,950.00
17-100-12-43572-000-000	Local Parks Aids	0.00	0.00	0.00	0.00	0.00
17-100-12-43575-000-000	Boat Launch Fees	36,728.62	26,000.00	17,170.85	26,000.00	26,000.00
16-100-12-43578-000-000	Green Lake Trail Project	0.00	400,000.00	76,515.92	400,000.00	400,000.00
17-100-12-43604-000-000	Park Donations	0.00	2,000.00	0.00	2,000.00	2,000.00
		57,968.54	457,950.00	93,686.77	457,950.00	457,950.00

BUDGET REQUEST - 2017

DEPARTMENT: 911 PROJECT

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	6 MO YTD	2016 EST YR END	2017 APPROVED
17-100-00-58300-000-000 911 Project		0.00	3,880.00	0.00	3,880.00	3,880.00
17-100-00-51430-222-003 Electrical/Gas Radio Tower		12,309.81	14,500.00	7,718.97	14,500.00	14,500.00
17-100-00-58300-247-000 Maintenance Contract		34,152.00	35,052.00	34,872.00	35,052.00	35,052.00
17-100-00-58300-247-001 Tower Site Maintenance		6,169.98	8,000.00	5,079.05	8,000.00	8,000.00
		52,631.79	61,432.00	47,670.02	61,432.00	61,432.00

Total Proposed Budget:	2015	61,432.00	2016	61,432.00	2017	61,432.00
Total Offsetting Revenues:		0.00		0.00		0.00
Total from County Tax Levy:		61,432.00		61,432.00		61,432.00
Increase (Decrease)		5,100.00		0.00		0.00

BUDGET REQUEST - 2017

DEPARTMENT: COUNTY CLERK
PURCHASING/UTILITIES
EXPENSES

COMMITTEE: PROPERTY & INSURANCE

ACCOUNT NUMBER	DESCRIPTION	2015	2016	6 MO YTD	2016	2017
		ACTUAL	BUDGET		EST YR END	APPROVED
17-100-04-51430-206-000	Maintenance Contracts	17,484.94	19,000.00	15,959.50	19,000.00	17,000.00
17-100-04-51430-220-000	Cable TV	3,510.31	4,000.00	1,754.04	4,000.00	4,000.00
17-100-04-51430-221-002	Water-sewer Juristic Center	18,636.62	14,000.00	4,546.47	14,000.00	14,000.00
17-100-04-51430-221-003	Water & Sewer Food Pantry	541.86	1,000.00	123.18	1,000.00	600.00
17-100-04-51430-221-004	Fire Protection Berlin	210.24	215.00	105.12	215.00	215.00
17-100-04-51430-221-005	Drainage Special Charges	404.48	410.00	(13.42)	410.00	450.00
17-100-04-51430-222-002	Electricity/Gas Justice Center	155,036.77	164,000.00	80,950.24	164,000.00	160,000.00
17-100-04-51430-222-004	Electricity/Food Pantry	4,726.99	7,000.00	581.10	7,000.00	6,000.00
17-100-04-51430-225-000	Telephone	37,171.32	43,000.00	22,713.79	43,000.00	42,000.00
17-100-04-51430-303-000	Codification	3,174.48	3,200.00	2,773.01	3,200.00	3,500.00
17-100-04-51430-310-000	Office Supplies	64,345.37	54,200.00	19,729.13	54,200.00	38,200.00
17-100-04-51430-311-000	Postage	40,845.01	64,000.00	20,469.39	64,000.00	46,000.00
17-100-04-51430-313-000	Printing Costs	25,000.00	25,000.00	14,000.00	25,000.00	16,000.00
17-100-04-51430-330-000	Travel	975.20	1,000.00	423.36	1,000.00	1,000.00
17-100-04-51430-350-000	Repair & Maintenance Supplies	0.00	0.00	0.00	0.00	0.00
17-100-04-51430-810-000	Capital Equipment	28,100.00	28,100.00	28,908.00	28,100.00	32,000.00
		400,163.59	428,125.00	213,022.91	428,125.00	380,965.00

2015 **2016** **2017**
 Total Proposed Budget: 413,900.00 428,125.00 380,965.00
 Total Offsetting Revenues: 47,924.00 47,924.00 9,500.00
 Total from County Tax Levy: 365,976.00 380,201.00 371,465.00
 Increase (Decrease) 2,500.00 14,225.00 (8,736.00)

BUDGET REQUEST - 2017

COMMITTEE: PROPERTY & INSURANCE

DEPARTMENT:

COUNTY CLERK
PURCHASING/UTILITIES
REVENUE &
INTERDEPARTMENTAL TRANSFERS

ACCOUNT NUMBER	DESCRIPTION	2015		2016		2016		2017	
		ACTUAL	BUDGET	6 MO YTD	EST YR END	APPROVED	EST YR END	APPROVED	
17-100-04-47411-001-000	Revenue Office Supplies	1,120.10	2,000.00	151.67	1,500.00	1,500.00	1,500.00	1,500.00	
17-100-04-47411-002-000	Revenue Postage	4,737.41	12,000.00	7,396.67	7,396.67	7,396.67	8,000.00	8,000.00	
		5,857.51	14,000.00	7,548.34	8,896.67	8,896.67	9,500.00	9,500.00	

BUDGET REQUEST - 2017

DEPARTMENT: COUNTY CLERK INSURANCE

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2015		2016		2016		2017	
		ACTUAL	BUDGET	6 MO YTD	EST YR END	APPROVED			
17-100-04-51930-154-000	Retiree's Insurance Premium	6,822.72	20,000.00	5,328.68	11,300.00	15,000.00	0.00		
17-100-04-51930-154-002	Affordable Care Act Fees	0.00	0.00	0.00	0.00	0.00	0.00		
17-100-04-51930-158-000	Unemployment Compensation	0.00	5,000.00	3,700.00	4,500.00	4,000.00	4,000.00		
17-100-04-51930-160-000	Flex Plan	5,635.00	4,000.00	3,284.18	5,000.00	5,000.00	5,000.00		
17-100-04-51930-160-001	HRA Participant Fee	7,554.50	6,000.00	5,729.52	6,500.00	14,000.00	14,000.00		
17-100-04-51930-161-000	Employee Assistance Program	4,025.00	4,100.00	1,980.00	14,000.00	4,100.00	4,100.00		
17-100-04-51930-209-000	WC Audit Adjustment	11,540.00	0.00	0.00	0.00	0.00	0.00		
17-100-04-51930-507-000	Loss Control Training/Supplies	1,519.51	2,000.00	1,193.68	828.66	2,000.00	2,000.00		
17-100-04-51930-508-000	Monies & Securities	406.60	450.00	0.00	0.00	450.00	450.00		
17-100-04-51930-509-000	Public Liability	131,692.00	140,000.00	143,522.43	143,522.43	145,000.00	145,000.00		
17-100-04-51930-509-001	Legal Deductible	6,425.45	5,000.00	5,627.17	5,627.17	5,000.00	5,000.00		
17-100-04-51930-510-000	Workman's Compensation	175,896.00	175,000.00	180,372.00	180,372.00	187,000.00	187,000.00		
17-100-04-51930-511-000	Buildings & Contents	25,572.86	35,000.00	36,629.00	36,629.00	36,000.00	36,000.00		
17-100-04-51930-512-000	Vehicle Collision	5,141.39	9,000.00	8,505.60	3,336.00	3,500.00	3,500.00		
17-100-04-51930-513-000	Vehicle Comprehensive	4,650.74	7,000.00	5,670.40	10,840.00	10,800.00	10,800.00		
17-100-04-51930-515-000	Boiler Insurance	5,180.00	6,000.00	4,714.00	4,714.00	5,000.00	5,000.00		
17-100-04-51930-516-000	Contractors Equipment	4,717.43	7,000.00	0.00	3,206.00	3,400.00	3,400.00		
17-100-04-51930-517-000	Life Insurance - Municipal	3,791.10	4,000.00	1,837.62	1,511.96	4,000.00	4,000.00		
17-100-04-51930-519-000	Uninsured Claims-Deductibles	1,508.54	10,500.00	3,042.42	3,042.42	10,500.00	10,500.00		
17-100-04-51930-521-000	Officials Bonds	1,747.00	1,800.00	1,747.00	1,747.00	1,800.00	1,800.00		
17-100-04-51930-522-000	Public Employee Bonds	2,059.00	2,100.00	2,478.00	2,478.00	2,100.00	2,100.00		
		405,884.84	443,950.00	415,361.70	439,154.64	458,650.00			

	2015	2016	2017
Total Proposed Budget:	438,050.00	443,950.00	458,650.00
Total Offsetting Revenues:	60,000.00	90,000.00	105,000.00
Total from County Tax Levy:	378,050.00	353,950.00	353,650.00
Increase (Decrease)	(252.00)	(24,100.00)	(300.00)

BUDGET REQUEST - 2017

DEPARTMENT: COUNTY CLERK INSURANCE

COMMITTEE: PROPERTY & INSURANCE

REVENUE

ACCOUNT NUMBER	DESCRIPTION	2015		2016		2017	
		ACTUAL	BUDGET	6 MO YTD	EST YR END	APPROVED	
17-100-00-48400-000-000	Insurance Claims & Refunds	36,296.58	40,000.00	18,599.80	40,000.00	40,000.00	
17-100-04-48400-000-000	WC Audit Adjustment	0.00	0.00	0.00	0.00	0.00	
17-100-00-49220-000-000	Intradepartmental Revenues-Hwy	75,912.75	50,000.00	0.00	50,000.00	65,000.00	
		112,209.33	90,000.00	18,599.80	90,000.00	105,000.00	

REQUEST FOR PURCHASE APPROVAL

ITEM TO BE PURCHASED: Commissioner Vehicle - 2017 Ford Escape 4wd

DEPARTMENT: Highway

ACCOUNT NUMBER: 16-701-29-53281-810-000 (Capital Equipment)

GOVERNING COMMITTEE: Highway

Approval Date: 7/13/15

PROPERTY AND INSURANCE APPROVAL DATE:

REASON FOR PURCHASE: Replace 2008 Commissioner vehicle, truck #24. Will keep #24 to use as staff vehicle.

BID INFORMATION:	Sondalle, Berlin	\$22,955.10
	Gagne, Princeton	\$22,661.00 *Recommended
	Homan, Ripon	\$27,745.00

Radio & Lights - \$2,004.89

BUDGET REQUEST - 2017

DEPARTMENT: 911 PROJECT

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	5 MO YTD	2016 EST YR END	2017 APPROVED
17-100-00-58300-000-000	911 Project	0.00	3,880.00	0.00	3,880.00	3,880.00
17-100-00-51430-222-003	Electrical/Gas Radio Tower	12,309.81	14,500.00	6,720.84	14,500.00	14,500.00
17-100-00-58300-247-000	Maintenance Contract	34,152.00	35,052.00	34,872.00	35,052.00	35,052.00
17-100-00-58300-247-001	Tower Site Maintenance	6,169.98	8,000.00	4,963.53	8,000.00	8,000.00
		<u>52,631.79</u>	<u>61,432.00</u>	<u>46,556.37</u>	<u>61,432.00</u>	<u>61,432.00</u>

	2015	2016	2017
Total Proposed Budget:	61,432.00	61,432.00	61,432.00
Total Offsetting Revenues:	0.00	0.00	0.00
Total from County Tax Levy:	61,432.00	61,432.00	61,432.00
Increase (Decrease)	5,100.00	0.00	0.00

BUDGET REQUEST - 2017

**DEPARTMENT: COUNTY CLERK
PURCHASING/UTILITIES
EXPENSES**

COMMITTEE: PROPERTY & INSURANCE

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	5 MO YTD	2016 EST YR END	2017 APPROVED
17-100-04-51430-206-000	Maintenance Contracts	17,484.94	19,000.00	15,959.50	19,000.00	17,000.00
17-100-04-51430-220-000	Cable TV	3,510.31	4,000.00	1,461.70	4,000.00	4,000.00
17-100-04-51430-221-002	Water-sewer Justic Center	18,636.62	14,000.00	4,546.47	14,000.00	14,000.00
17-100-04-51430-221-003	Water & Sewer Food Pantry	541.86	1,000.00	123.18	1,000.00	600.00
17-100-04-51430-221-004	Fire Protection Berlin	210.24	215.00	52.56	215.00	215.00
17-100-04-51430-221-005	Drainage Special Charges	404.48	410.00	(13.42)	410.00	450.00
17-100-04-51430-222-002	Electricity/Gas Justice Center	155,036.77	164,000.00	56,634.60	164,000.00	160,000.00
17-100-04-51430-222-004	Electricity/Food Pantry	4,726.99	7,000.00	581.10	7,000.00	6,000.00
17-100-04-51430-225-000	Telephone	37,171.32	43,000.00	19,870.77	43,000.00	42,000.00
17-100-04-51430-303-000	Codification	3,174.48	3,200.00	2,773.01	3,200.00	3,500.00
17-100-04-51430-310-000	Office Supplies	64,345.37	54,200.00	18,929.10	54,200.00	38,200.00
17-100-04-51430-311-000	Postage	40,845.01	64,000.00	19,229.20	64,000.00	46,000.00
17-100-04-51430-313-000	Printing Costs	25,000.00	25,000.00	14,000.00	25,000.00	16,000.00
17-100-04-51430-330-000	Travel	975.20	1,000.00	336.96	1,000.00	1,000.00
17-100-04-51430-350-000	Repair & Maintenance Supplies	0.00	0.00	0.00	0.00	0.00
17-100-04-51430-810-000	Capital Equipment	28,100.00	28,100.00	28,908.00	28,100.00	32,000.00
		400,163.59	428,125.00	183,392.73	428,125.00	380,965.00

	2015	2016	2017
Total Proposed Budget:	413,900.00	428,125.00	380,965.00
Total Offsetting Revenues:	47,924.00	47,924.00	9,500.00
Total from County Tax Levy:	365,976.00	380,201.00	371,465.00
Increase (Decrease)	2,500.00	14,225.00	(8,736.00)

BUDGET REQUEST - 2017

COMMITTEE: PROPERTY & INSURANCE

**DEPARTMENT: COUNTY CLERK
PURCHASING/UTILITIES
REVENUE &
INTERDEPARTMENTAL TRANSFERS**

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	6 MO YTD	2016 EST YR END	2017 APPROVED
17-100-04-47411-001-000	Revenue Office Supplies	1,120.10	2,000.00	151.67	1,500.00	1,500.00
17-100-04-47411-002-000	Revenue Postage	4,737.41	12,000.00	7,396.67	7,396.67	8,000.00
		<u>5,857.51</u>	<u>14,000.00</u>	<u>7,548.34</u>	<u>8,896.67</u>	<u>9,500.00</u>

BUDGET REQUEST - 2017

DEPARTMENT: COUNTY CLERK INSURANCE

COMMITTEE: PROPERTY & INSURANCE

EXPENSES

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	5 MO YTD	2016 EST YR END	2017 APPROVED
17-100-04-51930-154-000	Retiree's Insurance Premium	6,822.72	20,000.00	4,685.96	11,300.00	15,000.00
17-100-04-51930-154-002	Affordable Care Act Fees	0.00	0.00	0.00		0.00
17-100-04-51930-158-000	Unemployment Compensation	0.00	5,000.00	1,850.00	4,500.00	4,000.00
17-100-04-51930-160-000	Flex Plan	5,635.00	4,000.00	2,900.77	5,000.00	5,000.00
17-100-04-51930-160-001	HRA Participant Fee	7,554.50	6,000.00	4,693.29	6,500.00	14,000.00
17-100-04-51930-161-000	Employee Assistance Program	4,025.00	4,100.00	1,980.00	14,000.00	4,100.00
17-100-04-51930-209-000	WC Audit Adjustment	11,540.00	0.00	0.00	0.00	0.00
17-100-04-51930-507-000	Loss Control Training/Supplies	1,519.51	2,000.00	828.66	828.66	2,000.00
17-100-04-51930-508-000	Monies & Securities	406.60	450.00	0.00	0.00	450.00
17-100-04-51930-509-000	Public Liability	131,692.00	140,000.00	143,522.43	143,522.43	145,000.00
17-100-04-51930-509-001	Legal Deductible	6,425.45	5,000.00	5,627.17	5,627.17	5,000.00
17-100-04-51930-510-000	Workman's Compensation	175,896.00	175,000.00	180,372.00	180,372.00	187,000.00
17-100-04-51930-511-000	Buildings & Contents	25,572.86	35,000.00	36,629.00	36,629.00	36,000.00
17-100-04-51930-512-000	Vehicle Collision	5,141.39	9,000.00	8,505.60	3,336.00	3,500.00
17-100-04-51930-513-000	Vehicle Comprehensive	4,650.74	7,000.00	5,670.40	10,840.00	10,800.00
17-100-04-51930-515-000	Boiler Insurance	5,180.00	6,000.00	4,714.00	4,714.00	5,000.00
17-100-04-51930-516-000	Contractors Equipment	4,717.43	7,000.00	0.00	3,206.00	3,400.00
17-100-04-51930-517-000	Life Insurance - Municipal	3,791.10	4,000.00	1,511.96	1,511.96	4,000.00
17-100-04-51930-519-000	Uninsured Claims-Deductibles	1,508.54	10,500.00	3,042.42	3,042.42	10,500.00
17-100-04-51930-521-000	Officials Bonds	1,747.00	1,800.00	1,747.00	1,747.00	1,800.00
17-100-04-51930-522-000	Public Employee Bonds	2,059.00	2,100.00	2,478.00	2,478.00	2,100.00
		405,884.84	443,950.00	410,758.66	439,154.64	458,650.00

	2015	2016	2017
Total Proposed Budget:	438,050.00	443,950.00	458,650.00
Total Offsetting Revenues:	60,000.00	90,000.00	105,000.00
Total from County Tax Levy:	378,050.00	353,950.00	353,650.00
Increase (Decrease)	(252.00)	(24,100.00)	(300.00)

BUDGET REQUEST - 2017

DEPARTMENT: COUNTY CLERK INSURANCE

COMMITTEE: PROPERTY & INSURANCE

REVENUE

ACCOUNT NUMBER	DESCRIPTION	2015 ACTUAL	2016 BUDGET	5 MO YTD	2016 EST YR END	2017 APPROVED
17-100-00-48400-000-000	Insurance Claims & Refunds	36,296.58	40,000.00	0.00	40,000.00	40,000.00
17-100-04-48400-000-000	WC Audit Adjustment	0.00	0.00	0.00	0.00	0.00
17-100-00-49220-000-000	Intradepartmental Revenues-Hwy	75,912.75	50,000.00	0.00	50,000.00	65,000.00
		<u>112,209.33</u>	<u>90,000.00</u>	<u>0.00</u>	<u>90,000.00</u>	<u>105,000.00</u>

August 2nd, 2016
Property & Insurance Committee
Monthly Report
Maintenance/Parks & Recreation Departments

Highway Departments 1 & 2

Replaced broken springs/wire/shaft- overhead door #13-2-(Schuster Overhead Door)
Repaired broken ½" copper water line building #3-1
General Maintenance performed
Scheduled Maintenance performed

Towers

Generator battery low voltage/found generator GFI outlet that supplies power to battery tender tripped/reset-tested-Markesan
Over-crank alarm-reset-Kingston
7/23/16 pm- Called out for generator no start-LP fuel valve solenoid stuck in closed position-tapped valve-Green Lake
Report of post loose and needs straightening and requires dirt-Auger type post put approx.. coffee can full of dirt in water washed out area.-Green Lake
General Maintenance performed
Scheduled Maintenance performed

Lake Steel Street

Repaired pull chain on ceiling fan #1-Food Pantry
Repaired lock on thermostat enclosure- Food Pantry
General Maintenance performed
Scheduled Maintenance performed

FRI

Spout on production floor sink popped off-repaired retaining ring
Front women restroom toilet running all the time-shortened flapper chain so it would not get caught under flapper
Maintenance Requests performed

571 County Road A

Unplugged toilet unit E cell #4- Corrections
Unplugged unit A first sink- Corrections
Unplugged toilet unit E cell #1-Corrections
Unplugged shower drain male locker room- Corrections
Unplugged toilet unit B cell #9- Corrections
Unplugged toilet unit C cell #9- Corrections

Unplugged toilet unit B cell #3- Corrections
Replaced T-8 ballast/ bulbs light fixture- open office area- ROD
Unplugged toilet unit D cell #5- Corrections
Report of unit E main door not closing properly-Checked all 3 closing positions bolt/hardware-no malfunctions/cleaned/lubed- Corrections
Lock housing was removed from panel for 220v maintenance outlet- re-installed (labeled)-Corrections
Unplugged toilet unit B cell #1- Corrections
Unplugged toilet unit D cell #3- Corrections
Unplugged toilet rec. #4- Corrections
6 month fire suppression inspection completed-kitchen- Corrections (Fire & Safety)
Replaced ballast in light fixture wash down area-kitchen- Corrections
Reset digital read out- Walk In freezer-kitchen- Corrections
Reset digital readout-Walk In cooler-kitchen- Corrections
Report of emergency intercom in unit C not activating- Found white paste substance along with part of gum type wrapper wedged into switch- Corrections
Report of water leaking out of water pump behind units A-E-Found hot water circulating pump leaking slightly due to power failure/ after running mechanical ceramic seal realign itself sealed up- Corrections
Unplugged toilet unit M- Corrections
Unplugged toilet unit J- Corrections
Unplugged toilet unit B cell 3/4- Corrections
Unplugged toilet unit C cell 5/6- Corrections
Unplugged toilet Rec. # 1 -Corrections
Unplugged toilet unit B #3- Corrections
Reattached rubber protective edging visitation unit E- Corrections
Unplugged toilet unit B cell 7/8- Corrections
Tighten set screw on lock cylinder patrol office storage-SO
Installed to wall hang anchors per request-LC
Move all needed office environments to new location of child support offices from 2nd floor phase 1 to first floor phase 1-HHS
Facility Directory in vestibule changed to reflect new location of child support offices
Overhead signage installed to reflect new location of child support offices-HHS
Disposed of 5 defective counter top ss food warmers, 2 coolers and coffee pot /mealsite-HHS
Replace control board battery back- up-Mechanical room phase 1 lower level
Installed addition wall anchors for pictures- ROD
Changed all batteries in Access Controllers for battery back- up operation/Phase 1- SO/Security
Moved all fair items to fairgrounds- UWEX
General Maintenance performed
Scheduled Maintenance performed

Parks & Recreation

(New)Water System Annual Site Visit- Department of Natural Resources- Dodge Memorial

Repaired vandalized flush/supply pipe to toilet/pavilion- Dodge Memorial

Added 2 1/2 yds. of 3/4" gravel to horse parking area-Kingston Park

Added 1/2 yd. of 3/4" gravel to boat launch #1 -cutting corner to sharp- Dodge Memorial

Installed new swing set seats (2)- Kingston Park

All trees trimmed- Kingston Park

Removed fallen tree/storm-Winnebago/Green Lake County line- Mascoutin Valley State Trail

General Maintenance performed

Scheduled Maintenance performed

Maintenance Work Order Request-42

Maintenance Supply Requests-14

Office Supply Requests-37

Submitted by:



Scott A. Weir

Maintenance Director/Parks Director

Green Lake County

GREEN LAKE COUNTY FAIR



PO Box 3188 (Mailing Address)
571 Cty Rd A (Physical Address)
Green Lake WI 54941
Phone: 920 / 294-4033
Fax: 920 / 294-4176
Website: greenlake.uwex.edu

...the best little fair around!

TO: Green Lake County Property & Insurance Committee
Marge Bostelmann, County Clerk

RE: 2016 Green Lake County Fair - County Sponsored Events

DATE: July 19, 2016

FROM: Kim Zills, Green Lake County UW-Extension/Fair

Below is a listing of events to be held at the 2016 Green Lake County Fair, August 4-7. The following events will be covered under the Green Lake County Insurance Policy.

Horse Show	7/30	The Science Alliance	8/5
Educational/Animal Judging Events	8/4-8/7	Livestock Auction	8/5
Education in Action Stage.....	8/4-8/7	Miller & Mike Comedy Show	8/6
Bingo (4-H Leaders Assn)	8/4-8/7	Fox of the River Voyageur Canoe Exhibit	8/6
All 4-H Sponsored Events.....	8/4-8/7	Native American Storyteller.....	8/6
GLC Libraries (Storytelling/Craft).....	8/4	Snakes Alive	8/6
Hillbilly Silly Science Spectacular.....	8/4	Jay the Hypnotist.....	8/6
Dizzy D. Clown.....	8/4-8/5	Prize Giveaway	8/6
U B the Band.....	8/4	Federated Church Worship Service.....	8/7
Sizzlin' Sonny's Rockin' Road Show.....	8/4	Awards Ceremony.....	8/7
Raptor Education Group, Inc.	8/5	Uncle Ozzie's Memory Sounds	8/7

Attached you will find a copy of the Schedule of Events.

Events to be held providing Certificates of Insurance include: Jahnke Landscaping (Fair Maintenance Personnel July/August), Clark Buchanan (Fair Maintenance Personnel July/August), A&P Enterprise Inc. (Carnival August 8/4-8/7), Truck/Tractor Pull (Rich Swanke-8/8), Wisconsin Tractor Pull Association Pull (Rich Swanke-8/5), American Legion Post 366 & Auxiliary (Alcohol Sales 8/4-8/6), Hollywood Motorsports (Demolition Derby-8/6), Pedal Pull (Ballweg Implement-8/6), Half-Pint Show (GLC Dairy Promotions Committee-8/6), Wisconsin Spudmobile (8/4), Face Painting & DJ/Karaoke Entertainment with Leroy & Dala (8/4-8/6). Copies of Certificates of Insurance are attached.

Fairest Regards,

Kim Zills
Green Lake County Fair

Green Lake County Junior Free Fair

Schedule of Events August 4-7, 2016

Hours: 8:00 a.m. – 11:00 p.m. ** FREE ADMISSION

Fairgrounds: 570 South Street, Green Lake (920-294-4032)

Mailing Address: UWEX Office, PO Box 3188, Green Lake WI 54941

Visit our Website: greenlake.uwex.edu or Facebook Page!



'GO FOR THE GOLD'



"the best little Fair around"

Saturday July 30, 2016

Horse Show 8:00 am

Wednesday, August 3, 2016

Sheep Show 7:00 pm

Thursday, August 4, 2016

Educational Judging..... 9:00 am

Children's Storytelling Program 10:30 am

Face Painting by Dala & Leroy 12:00-6:00 pm

(Sponsored by Community Involvement Program)

Goat Show..... 12:30 pm

Dairy Show 1:00 pm

Poultry Judging..... 1:00 pm

Hillbilly Silly Science Spectacular-Strolling Entertainment 1:00 & 3:00 pm

(Sponsored by Alliant Energy Foundation)

U B the Band 1:30/3:00 & 4:30 pm

(Sponsored in part by Heidel House Resort & Spa)

Wisconsin Spudmobile..... 1:00-4:00 pm

Dizzy D. Balloon Twister..... 3:30-8:00 pm

Hillbilly Silly Science Spectacular Shows..... 2:00 & 4:00 pm

(Sponsored by Alliant Energy Foundation)

Pork Dinner (Farm Bureau)..... 4:00 pm

Bingo 6:00-10:00 pm

Truck & Tractor Pull 6:30 pm

Swine Show..... 7:00 pm

Sizzlin' Sonny's Rockin' Road Show 8:00-11:00 pm

Friday, August 5, 2016

Beef Judging (Dairy Tent) 9:00 am

Rabbit Judging..... 9:00 am

Dog Show (Entertainment Tent)..... 9:00 am

Face Painting by Dala & Leroy 12:00-6:00 pm

(Sponsored by Community Involvement Program)

Raptor Education Program..... 1:30-4:30 pm

The Science Alliance-Get Hip to Health!..... 2:30-3:30 pm

(Sponsored in part by Kwik Trip, Inc.)

Dizzy D. Balloon Twister 3:30-8:00 pm

The Science Alliance-Close Encounters of the Chemical Kind!..... 4:00 PM

Bingo 6:00-10:00 pm

WTPA Tractor Pull 7:00 pm

Livestock Auction..... 7:00 pm

DJ/Karaoke Entertainment with Leroy & Dala..... 8:00-11:00 pm

Saturday, August 6, 2016

Dog Agility Course-Judged Event 10:00 am

Money Olympics..... 10:00 am

Pedal Pull..... 10:30 am

Weigh-In @ 10:00 a.m. (Sponsored by Ballweg Implement)

Archery Judging 12:00 pm

Face Painting by Dala & Leroy..... 12:00-6:00 pm

(Sponsored by Community Involvement Program)

Half-Pint Dairy Show 12:30 pm

Miller & Mike Comedy Shows 1:00 & 4:30 pm

Dress-a-"Crittter" Contest..... 1:30 pm

Miller & Mike Strolling Entertainment..... 2:00-4:00 pm

Fox of the River Voyageur Canoe Exhibit..... 2:00-8:00 pm

Native American Storytellers..... 2:00-8:00 pm

Bingo..... 2:00-5:30 pm

Snakes Alive! 2:30 pm

(Sponsored by A.F. Gelhar Sand)

4-H/FFA Chicken Chase..... 3:00 pm

Prize Giveaway Drawing..... 4:00 pm

Bingo..... 6:00-10:00 pm

Demolition Derby (Hollywood Motorsports) 6:00 pm

Jay the Hypnotist..... 8:00 pm

Sponsored in part by Heidel House Resort & Spa

Sunday, August 7, 2016

Sunday Morning Worship Service..... 10:00 am

(Green Lake Federated Church)

Awards Ceremony 12:30 pm

Bingo..... 2:00-5:00 pm

Uncle Ozzie's Memory Sounds (Live Band) 2:00-5:00 pm

Exhibits & Animals Released 5:00 pm

(Depending on the number of animal exhibits, some animals may be released earlier than 5:00 pm)

Carnival Provided By: A & P Enterprise Shows

Thursday – 6:00-10:00 pm Wristband (\$20.00/person or regular prices)

Carnival opens @ 5:00 pm

Friday – 3:00-7:00 pm Kids' Day (20 Tickets \$10.00 or \$1.25 each)

7:00 pm-Closing (Regular Prices)

Saturday – 1:00-6:00 pm Family Day (20 Tickets \$10.00 or \$1.25 each)

6:00 pm-Closing (Regular Prices)

Sunday – 1:00-5:00 pm Wristband (\$20.00/person or regular prices)

Carnival Opens @ 12:00 pm

Check out the Fair's newest event! Open Daily...educational programming and displays, along with the 4-H Commodity Carnival for youth!

 **AG Education Station**

"The mission of the Green Lake County Fair is to provide positive youth development and leadership skills, along with promoting agriculture, family, and community involvement through education and tradition."

The Green Lake County Fair would like to thank the following sponsors for their generous support!

Community Involvement Program Sponsors: • A.F. Gelhar Inc • Adam's Rib • Adams-Columbia Electric Coop • Al's Pumping Service • All-Wood Cabinetry LLC • Alliance Laundry Systems • Alliant Energy Foundation • Associated Veterinary Clinic LLC • Badger Mining Corporation • Badgerland Financial • Ballweg Implement Company Inc • Marge Bostelmann • Brandon Meats & Sausage • CENTURY 21 Properties Unlimited • Chris' Floral & Gifts • Country Clovers 4-H Club • Culligan • DD Associates • Dalton Lumber & Supply, Inc. • Del Monte Foods • Design Specialty Builders • Fairburn/Jolly J's HCE Club • "Farmer" Grah • Farmers State Bank • FLASH Inc. • Flyway Mutual Insurance Company • Fox River Patriots 4-H Club • Glover Metal Building Erectors Ltd. • "Golden Rule" Community Credit Union • Greater Princeton Area Chamber of Commerce • Green Lake Area Chamber of Commerce • Green Lake Greenways • Green Lake Rotary Club • Green Lake Senior Center • Heidel House Resort & Spa • Hometown Broadcasting • Kinax Excavating Inc • Kwik Trip, Inc. • LAKE Real Estate • M.P.B. Builders • Markesan State Bank • Markesan Veterinary Clinic • Mashuda Contractors, Inc. • Montey Welding • Modern Rentals, Inc. • National Exchange Bank & Trust • Ness Electric LLC • Nort Bay Sport & Liquor • Peterson's Happiness Acres, Inc. • Petraszak Excavating Ltd. • Pollesch Construction, Inc. • Pulvermacher Enterprises Inc. • Ray's Sanitation • Ripon Electric • Ripon Pick 'n Save • Ross Motors • Scott Construction-Lake Delton. • David & Helene Severson • Shepards Drive-In • Spaulding Chiropractic Health Center LLC • Spoehr Smits & Blazel Law Office • Stahl Plumbing & Heating Inc • State Farm Insurance-Caren Reich • Stuart's Landscaping & Garden Center • Sunrisers 4-H Club • ThedaCare • Tuscumbia Golf & Country Club • Vines & Rushes Winery • Waste Management-Fond du Lac • Kurt A. Zemke, DDS •