

## ORDINANCE NO. 2010-10

### AN ORDINANCE ADOPTING THE STATE STATUTE PERTAINING TO THE STATEWIDE SMOKING BAN

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, do ordain as follows:

**Section 1.** That Section 11.12 of the Municipal Code of the City of Prairie du Chien, Crawford County, Wisconsin, is hereby created to read as follows:

Section 11.12        **STATEWIDE SMOKING BAN.**

(1)    Smoking Ban Adopted. The City hereby adopts, by reference, the provisions of Wis. Stat. §101.123, Smoking prohibited, pertaining to the statewide smoking ban.

(2)    Inspection and enforcement. The City of Prairie du Chien Police Department shall have the power to enter any premises subject to the smoking ban under state law to ascertain whether the premises are in compliance with this section and take appropriate enforcement action pursuant to Wis. Stat. § 101.123.

**Section 2.** Any Ordinance or parts thereof inconsistent herewith are hereby repealed.

**Section 3.** In the event any section, subsection, clause, phrase, or portion of this ordinance is for any reason held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application has not been made.

**Section 4.** This Ordinance shall be effective on July 5, 2010.

Passed and approved this 22nd day of June, 2010.

---

David Hemmer, Mayor

ATTEST:

---

Aaron Kramer, City Administrator