

ORDINANCE NO. 1664

**AN ORDINANCE PROHIBITING SMOKING IN ANY MUNICIPAL BUILDING OR PLACE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME, KANSAS:**

**SECTION 1:** For purposes of this ordinance, the following definitions shall be used:

- (a) "Municipal place" means any enclosed area of any city owned or managed building or structure, any municipal building including but not limited to the police station, city building, fire station, shop areas, power plant and water utility building, library and city swimming pool, including any fenced area of the swimming pool.
- (b) "Public meeting" means all meetings open to the public.
- (c) "Smoking" means possession of a lighted cigarette, cigar, pipe, or any other lighted smoking equipment.

**SECTION II:** It shall be unlawful for any person to smoke in a municipal place or at a public meeting except in designated smoking areas.

**SECTION III:** Designated smoking areas may be designated by the governing body of the city except in any passenger elevator, public means of transportation or any other place where smoking is prohibited by the fire marshall or other law or ordinance.

Where smoking areas are designated, then existing barriers and ventilation system shall be used to minimize the toxic effect of smoke in adjacent nonsmoking areas.

**SECTION IV:** Signs and notices shall be posted in conspicuous places clearly stating that smoking is prohibited.

**SECTION V:** Any person found guilty of smoking in violation of this ordinance shall be punished by fine of not more than \$20.00 for each violation.

**SECTION VI:** This Ordinance shall be in full force and effect from and after its passage by the governing body, approval by the Mayor, and publication in the official city newspaper.

PASSED AND APPROVED this 20<sup>th</sup> day of September, 1993.

ATTEST:

William R. Haws  
Mayor

Cheryl D. Holloway  
City Clerk, Burlingame, Kansas