

except as provided in Subsection (B) below.

- (B) Smoking and the use of tobacco products shall be permitted in the St. John Town Hall, more specifically in the kitchenette connected to the Clerk-Treasurer's Office and the kitchenette in the southeast corner of the St. John Town Hall; all Public Works garages; and the Police Department garage. Such areas shall contain a sign with letters at least two (2) inches high that conveys the message: "Designated Smoking Area".

SECTION 3. No Smoking Sign. In all areas of the Town Hall where smoking is prohibited, such areas shall contain a sign with letters at least two (2) inches high that conveys the message: "Smoking Prohibited".

SECTION 4. Penalty. Any person who violates the provisions of this ordinance shall be guilty of an infraction, punishable by a fine ~~not to exceed \$100.00.~~ <sup>of \$50.00.</sup> *JK*

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and after publication of the same pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 31<sup>st</sup> day of August, 2000.

Aye 3 Nay 0

TOWN COUNCIL, TOWN OF ST. JOHN,  
LAKE COUNTY, INDIANA

Kathleen J. Willman  
KATHLEEN J. WILLMAN

Kristie L. Aldridge  
KRISTIE L. ALDRIDGE

Jerome J. Rudy  
JEROME J. RUDY

ATTEST: Judith L. Companik  
JUDITH L. COMPANIK, Clerk-Treasurer

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1180

AN ORDINANCE REGULATING SMOKING IN TOWN BUILDINGS IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, it has come to the attention of the Town Council of the Town of St. John, Lake County, Indiana, that the Town of St. John has no ordinance regulating smoking in Town buildings; and

WHEREAS, the State Legislature of the State of Indiana has passed a law prohibiting smoking in a public building which includes those buildings occupied by local government, but provides for certain areas to be designated as smoking areas; and

WHEREAS, the State law allows the Town Council of the Town of St. John, Lake County, Indiana, to adopt an ordinance incorporating the State law or incorporating more restrictive provisions than the State law with regard to smoking in public buildings; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, hereby finds that it would be in the best interest of the health and welfare of the citizens of the Town of St. John, Lake County, Indiana, that it adopt and promulgate an ordinance regulating smoking in Town buildings.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

SECTION 1. Definitions. For the purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. St. John Town Buildings. Those structures owned, leased, or otherwise occupied by the Town, including, but not limited to, all areas within said buildings or any additions thereto.

B. Person. Any man, woman, or child, regardless of age.

C. Smoke or Smoking. To ignite or cause to be ignited tobacco or tobacco product or tobacco derivative, which includes but is not limited to tobacco or a derivative thereof, such that the product or derivative emits a gas or cloud which is commonly understood to be smoke, which may be or is intended to be inhaled by any person. Additionally, smoke is further defined as the mixture of smoke exhaled by smokers and the smoke that comes from the burning end of a cigarette, cigar, or pipe.

SECTION 2. Smoking Prohibited in Town Buildings.

A. No person shall smoke or use tobacco products in any of the buildings of the Town of St. John, Lake County, Indiana,