

§99.01 DEFINITIONS

(A) Public Building. As used in this Chapter, "Public Building" means:

An enclosed structure or the part of any enclosed structure, regardless of ownership that is one (1) of the following:

- (i) Occupied by an agency of state or local government.
- (ii) Used as a classroom building or a dining area at a state educational institution (as defined in IC 20-12-0.5-1).
- (iii) Used as a public school (as defined in IC 20-10.1-1-2).
- (iv) Licensed as a health facility under IC 16-21 or IC 16-28.
- (v) Used as a station for firefighters.
- (vi) Used as a station for police officers.
- (vii) Licensed as a child care center or child care home or registered as a child care ministry under IC 12-17.2.
- (viii) Licensed as a hospital under IC 16-21 or a county hospital subject to IC 16-22.
- (ix) The sales area of any drug, grocery or convenience store.
- (x) The food storage or preparation area of any establishment where food is prepared for consumption by the public, regardless of whether such consumption is on or off the premises.
- (xi) The public area of any establishment where food and beverages are sold for consumption on the premises or where services or merchandise are offered for sale to the public, unless such establishment has posted signs permitting smoking in compliance with Section 99.03.

(B) Smoking. As used in this Chapter, "smoking" means the carrying or holding of a lighted cigarette, cigar, pipe, or any other lighted smoking equipment, or the inhalation or exhalation of smoke from any lighted smoking equipment.

[Ord. G-84-12, passed 8-14-84; Ord. G-07-03, passed 5-9-07]

§99.02 PURPOSE AND OBJECTIVE

Smoking in a Public Building in the City of New Haven is prohibited; provided however, that the official in charge of a Public Building may designate a smoking area in the building.

[Ord. G-84-12, passed 8-14-84; Ord. G-07-03, passed 5-9-07]

§99.03 POSTING OF SIGNS

(A) The agency in charge of each Public Place defined in Section 99.01(A)(i)-(viii) and the operator of each Public Place defined in Section 99.01(A)(ix)-(x) shall post a conspicuous sign at the outside of each entrance stating: "Smoking is prohibited in this building" or words to the same effect.

(B)(1) The operator of each Public Place defined by Section 99.01(A)(xi) shall post a conspicuous sign at the outside of each entrance stating in unambiguous terms whether smoking is prohibited or permitted.

(2) The operator may post signs at such other locations as may be conspicuous to patrons limiting smoking to specified times and/or areas.

[Ord. G-07-03, passed 5-9-07]

§99.04 PENALTIES

(A) Each person, agency or operator violating any provision of this chapter shall be subject to a fine not to exceed Five Hundred and no/100 Dollars (\$500.00) per violation.

(B) Each day on which a sign is not posted at an entrance in compliance with Section 99.03(A) or (B) shall constitute a separate offense.

[Ord. G-07-03, passed 5-9-07]