

## ORDINANCE

### AN ORDINANCE AMENDING CHAPTER 20 ("PUBLIC HEALTH"), ARTICLE 9 ("VILLAGE INDOOR CLEAN AIR POLICY"), SECTION 20-9-5 ("DESIGNATION OF OTHER NO SMOKING AREAS") AND SECTION 20-9-6 ("SIGN REQUIREMENTS") OF THE OAK PARK VILLAGE CODE TO DESIGNATE VILLAGE FACILITIES AS NO SMOKING AREAS

**WHEREAS**, the Village of Oak Park has been awarded a Tobacco Free Communities Grant ("Grant") from the Illinois Department of Public Health; and

**WHEREAS**, as part of the Grant, the Village committed to create no smoking workplaces for all Village facilities; and

**WHEREAS**, pursuant to the Grant, it is necessary that the Village amend the Oak Park Village Code as set forth herein to designate all Village facilities, including the outdoor areas of such facilities, as no smoking areas.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Village Code Amended.** Chapter 20 ("Public Health"), Article 9 ("Village Indoor Clean Air Policy"), Section 20-9-5 ("Designation of Other No Smoking Areas") and Section 20-9-6 ("Sign Requirements") of the Oak Park Village Code is amended to add the following underlined language to read as follows:

#### **20-9-5: DESIGNATION OF OTHER NO SMOKING AREAS:**

Any owner, occupant, lessee, operator, manager or other person in control of a public place or place of employment may designate the entire facility, including outdoor areas where smoking might otherwise be permitted, as nonsmoking areas provided the owner, occupant, lessee, operator, manager or other person in control of the areas conspicuously posts signs wherever smoking is to be prohibited in accordance with section 20-9-6 of this article. The Village designates all Village facilities, including the outdoor areas of such facilities, as no smoking areas pursuant to this Section.

#### **20-9-6: SIGN REQUIREMENTS:**

A. Each owner, occupant, lessee, operator, manager or person in charge of a public place or place of employment shall post conspicuously "No Smoking"

signs in enclosed areas. All such signs shall be prominently displayed and shall clearly recite the phrase "No Smoking" in red letters four inches (4") in height with a one-half inch ( $\frac{1}{2}$ ") face on a white field and/or use the international no smoking symbol.

B. As an alternative to posting signs as required by subsection 20-9-6A of this section, any building or business which does not allow smoking anywhere on its premises and which prominently displays that message at each entrance to such building or business, need not display signs inside the building or business. For purposes of this section, any hotel or motel which prohibits smoking anywhere on its premises, except for authorized smoking rooms, shall be considered to be a building which does not allow smoking anywhere on its premises. The Village shall post signs pursuant to this subsection to provide that its facilities, including the outdoor areas of such facilities, are no smoking areas pursuant to Section 20-9-5 above.

C. No person shall wilfully remove, obscure, mutilate, deface or destroy any sign posted pursuant to this section.

D. Every theater, auditorium or assembly hall owner, manager or operator shall conspicuously post signs in the lobby stating that smoking is prohibited within such theater, auditorium or assembly hall.

**Section 3. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)**

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication on June 30, 2015.

**ADOPTED** this 15<sup>th</sup> day of June, 2015, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Barber				
Trustee Brewer				
Trustee Lueck				
Trustee Ott				
Trustee Salzman				
Trustee Tucker				

**APPROVED** this 15<sup>th</sup> day of June, 2015.

---

Anan Abu-Taleb, Village President

Attest:

---

Teresa Powell, Village Clerk

Published in pamphlet form this 15<sup>th</sup> day of June, 2015.

---

Teresa Powell, Village Clerk