



Code of Ordinances
CITY OF AUBURN





Prohibition Against
Smoking by Individuals in
City Owned Building,
Facilities, Structures, or
Vehicles

CHAPTER

44

AUBURN



Table of Contents

- 44.01 APPLICATION OF SUBCHAPTER TO CITY-OWNED FACILITIES**
- 44.02 WHERE SMOKING IS NOT REGULATED**
- 44.03 POSTING OF SIGNS**
- 44.04 VIOLATIONS**
- 44.05 ENFORCEMENT**
- 44.06 PARKS DEPARTMENT**



This section prohibits smoking by any person in all indoor buildings, indoor facilities, indoor structures, or vehicles owned or used by the Municipal City of Auburn, Indiana.

44.01 APPLICATION OF SUBCHAPTER TO CITY-OWNED FACILITIES

All indoor places owned or used by the City of Auburn, including cars, trucks, movable pieces of machinery, and other vehicles and enclosed areas and indoor facilities and indoor structures owned or used by the City of Auburn shall be subject to the provisions of this subchapter.

44.02 WHERE SMOKING IS NOT REGULATED

- A. Notwithstanding any other provision of this subchapter to the contrary, any area that is not used as or designated as a City building, facility, structure, or vehicle as defined by this subchapter shall not be subject to this ordinance.
- B. To the extent that any sections of this subchapter conflict with any state or federal statute or regulation or with any regulation of the City Fire Department, this section shall not apply.

44.03 POSTING OF SIGNS

- A. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently, and conspicuously posted in every building or other place where smoking is regulated by this subchapter, by the City, operator, agent, employee, or other person having control of such building or other indoor facility, structure, or space. All letters in any such sign shall be at least one inch in height and three-quarters of one inch in width.
- B. Every place where smoking is prohibited by this subchapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

44.04 VIOLATIONS

- A. It shall be unlawful for any person who uses any premises subject to regulation under this subchapter, whether they are an agent or employee of the City of Auburn, Indiana, or a member of the general public, to fail to comply with any of its provisions.
- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this subchapter.
- C. Each violation of this subchapter shall be punishable by a fine of \$50.00 per occurrence.

44.05 ENFORCEMENT

- A. Enforcement of this subchapter shall be implemented by the City of Auburn Police Department, Fire Department, and City of Auburn Building Inspector. Where appropriate, the Ordinance Officer of the Auburn Police Department shall also have the authority to enforce this subchapter and assess fines for non-compliance. The Municipal City of Auburn and any other authorized government agency shall use any appropriate means to issue citations and collect fines.
- B. The Police Department shall enforce this if not involved in other higher priority activities, someone will be dispatched to investigate the complaint. All complaints regarding structural violations shall be referred to the Fire Department or the Department of Building, Planning and Development for investigation.



- C. This ordinance may be enforced by any means allowed under the civil laws of the State of Indiana, including fine, civil suit, request for injunctive relief, or other applicable requests made in a Court of competent jurisdiction in DeKalb County, Indiana.
- D. The Ordinance Violation Bureau of the City of Auburn shall be further charged with the collection and processing of fines and payment of fines.

44.06 PARKS DEPARTMENT

The City of Auburn Park and Recreation Board shall establish and publish to the general public, rules and policies related to the regulation of smoking in the outdoor areas within the municipal park system.