



MOTION TO AMEND ORDINANCE 13-058-O

BY COUNCILOR KRAUSE:

MOVE THAT: ORDINANCE 13-058-O, Section One, be amended to provide as follows:

Section 1. That Section 28-64 of the Duluth City Code, 1959, as amended, is hereby amended as follows:

Sec. 28-64. Ingesting a prohibited substance--prohibited in certain places.

(a) No person shall ingest by smoking or chewing any prohibited substance at or in any of the following locations:

(1) Anywhere smoking is prohibited by the Minnesota Clean Indoor Air Act;

(2) Inside any Duluth Transit Authority transit shelter;

(3) Within 15 feet from the nearest point of any Duluth Transit Authority transit shelter which displays at least two signs visible from the exterior of the shelter providing notice of this prohibition, said 15 feet measured in a straight line of constant elevation;

(4) Anywhere in Wade Stadium that is open to the public except in areas designated for such consumption;

(5) Within 100 feet of the nearest property line of a medical facility, said 100 feet measured in a straight line of constant elevation; provided that this prohibition does not apply to a person inside an enclosed motor vehicle in motion on a public street or alley;

(6) On the Lakewalk, on Lake Place or in Leif Ericson Park;

(7) Within the indoor area of any establishment with a retail tobacco license, including smoking for the purpose of sampling prohibited substances, except where the sampling is of a non-tobacco electronic cigarette at an establishment where 80 percent or more of the sales at the establishment are of electronic cigarettes and electronic cigarette components, parts or accessories.

(c) Any person violating this Section is guilty of a petty misdemeanor or may be penalized under Chapter 12 of the Duluth City Code, 1959, as amended;

(d) Signage to enforce the provisions of this ordinance shall be approved by the city of Duluth.