

**TOWN OF MINONG
PURCHASE OR POSSESSION OF TOBACCO PRODUCTS AND ELECTRONIC
SMOKING DEVICES
ORDINANCE 2024-27**

The Town Board of the Town of Minong does ordain as follows:

SECTION I – TERMS AND MEANINGS

1. As used in this ordinance, the following terms shall have the meanings indicated:
 - a. **Electronic Smoking Device** – Any product containing or delivering nicotine, or any other substance, whether natural or synthetic and not prescribed by a medical doctor, intended for human consumption through the inhalation of aerosol or vapor from the product. The term “electronic smoking device” includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. The term “electronic smoking device” includes and component of a product, whether or not marked or sold separately.
 - b. **Tobacco Products** – Any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.
2. Purchase by minors prohibited. It shall be unlawful for any person under the age of 21 years to purchase tobacco products or electronic smoking devices, to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products or electronic smoking devices except under provisions of S 254.92(2), WI Stats.
3. Possession by minors prohibited. It shall be unlawful for any person under the age of 21 years to possess any tobacco products or electronic smoking devices except under provision of S 254.92(2), WI Stats.
4. Statutes adopted. The provisions of ss 48.983, 134.66, 254.92 and 778.25(1)(a), WI Stats., are adopted by reference and incorporated herein.

SECTION II – CITATIONS AND FORFEITURES

Issuance of citations under S 66.0119, WI Stats., is hereby authorized.

1. The Town of Minong, Washburn County, Wisconsin, shall have the authority to accept cash deposits for the forfeitures, and/or bond pursuant to the schedule set forth below, or as ordered by the Town of Minong for Washburn County.
 - a. First alleged offense: \$30.00 plus court costs and court assessments.

- b. Second alleged offense (within one year): \$50.00 plus court costs and court assessments.
 - c. Third alleged offense and subsequent alleged offenses (within one year): \$100 plus court costs and court assessments
2. Any and all changes in the forfeiture and/or bond for this chapter shall be set by resolution, adopted by the majority vote of the Town Board of the Town of Minong.

SECTION III – CONFLICT WITH OTHER PROVISIONS

Any ordinance or portion thereof in conflict with the terms of this chapter is hereby repealed to the extent of said conflict.

SECTION IV – SEVERABILITY

If any provision of this chapter is invalid or unconstitutional or if the application of this chapter to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications.

This Ordinance shall be effective upon passage and publication as provided by law, and shall repeal and replace all previous purchase or possession of tobacco products and electronic smoking devices ordinances heretofore enacted by the Town of Minong.

Adopted this _____ day of _____, 2024.

By the Town Board of the Town of Minong.

CHAIRMAN

ATTESTED BY: TOWN CLERK

Please note that this ordinance shall take effect upon publication or posting as set forth in s. 60.80, Wis. Stats.