

VILLAGE OF MOUNT HOREB
ORDINANCE 2024-02

AN ORDINANCE TO AMEND SECTION 9.18 TOBACCO PRODUCTS PROHIBITED

9.18 Use of tobacco products and vapor products prohibited.

[Amended 1-7-2015 by Ord. No. 2015-01; 12-5-2018 by Ord. No. 2018-16]

(1) Definitions. As used in this section, the following terms shall have the following meanings:

CIGARETTE Any roll of tobacco wrapped in paper or any substance other than tobacco.

NICOTINE PRODUCT A product that contains nicotine, including in liquid or any other form, and is not any of the following: a tobacco product; a cigarette; or a product that has been approved by the U.S. food and drug administration for sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such an approved purpose.

TOBACCO PRODUCT Cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but tobacco product does not include cigarettes, AS DEFINED UNDER S. 139.30(1m).

VAPOR PRODUCT A noncombustible product that produces vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance that is depleted as the product is used, regardless of whether the liquid or other substance contains nicotine.

(2) By minors.

(a) Purchase by minors prohibited. It shall be unlawful for any person under the age of 18 years to purchase tobacco products, nicotine products, cigarettes, or vapor products; or to misrepresent their identity or age, or to use any false or altered identification, for the purpose of purchasing tobacco products, nicotine products, cigarettes, or vapor products.

(b) Possession by minors prohibited. It shall be unlawful for any person under the age of 18 years to possess any tobacco products, nicotine products, cigarettes, or vapor products provided that the possession by a person under the age of 18 years under the direct supervision of the parent or legal guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

(c) State statutes adopted. The provisions of §§ 254.92, 134.66, 139.75 (14), and 778.25(1)(a), Wis. Stats., are adopted by reference and incorporated herein.

[Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]

(3) On school premises.

(a) Prohibition. It is unlawful for any person to use any tobacco product, nicotine product, cigarettes, or vapor products on the premises owned or rented by, or under the control of, the Mount Horeb Area School District.

(b) Exception. The School Board of the Mount Horeb Area School District may allow the use of tobacco products, nicotine products, cigarettes, and vapor products on premises owned by the School District and rented to another person for noneducational purposes.¹¹¹

Introduced and passed this 3rd day of January, 2024.

APPROVED:



Ryan Czyzewski, Village President

ATTEST:



Alyssa Gaffney, Village Clerk