

ORDINANCE NO. 1961-23
(Chapter 382 Minors -Amendment)

The City of Reedsburg, Sauk County, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to amend Chapter 382 Minors, specifically 382-13 Purchase or possession of cigarettes or tobacco products by persons under 21 prohibited, 382-14 – Purchase or possession of tobacco products, and 382-15 Sale of tobacco products.

SECTION II: PROVISION AMENDED

City of Reedsburg Code Chapter 382 is amended by this ordinance.

SECTION III: PROVISION AS AMENDED

382-13 and 385-15 are amended as stated below. 382-14 is removed from the City of Reedsburg Code Chapter 382.

§ 382-13. Purchase or possession of cigarettes or tobacco products by persons under 18 prohibited.

[Amended 5-14-2018 by Ord. No. 1868-18; 2-10-2020 by Ord. No. 1903-20; _____ by Ord. No. _____]

- A. Definitions. In this section, the definitions in § 254.911, Wis. Stats., are adopted and fully incorporated herein.
- B. No person under 18 years of age may falsely represent his or her age for purpose of receiving any cigarette, nicotine product, or tobacco product.
- C. No person under 18 years of age may purchase, attempt to purchase, or possess any cigarette, nicotine product, or tobacco product except as follows:
 - (1) A person under 18 years of age may purchase or possess cigarettes, nicotine products, or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.
 - (2) A person under 18 years of age, but not under 15 years of age, may purchase, attempt to purchase or possess cigarettes, nicotine products, or tobacco products in the course of his or her participation in an investigation under § 254.916, Wis. Stats., that is conducted in accordance with § 254.916(3), Wis. Stats.
- D. No person may purchase cigarettes, tobacco products, or nicotine products on behalf of, or to provide to, any person who is under 18 years of age.
- E. A law enforcement officer shall seize any cigarette, nicotine product, or tobacco product that has been sold to and is in the possession of a person under 18 years of age.

F. This ordinance shall strictly comply with and shall automatically amend to comply with §§ 254.911, 254.916, and 254.92, Wis. Stats., if the statute is amended.

§ 382-15. Sale of tobacco products. [Amended 3-25-2013; 2-10-2020 by Ord. No. 1903-20; _____ by Ord. No. _____]

As provided in § 134.66(2)(am), Wis. Stats., no retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of any independent contractor may provide, for nominal or no consideration, cigarettes, tobacco products or nicotine products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or parent or guardian or by his or her spouse who has attained the age of 18 years. This ordinance shall strictly comply with and shall automatically amend to comply with §134.66(2)(am).

SECTION IV: VALIDITY.

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 382.
Dated this 24th day of July 2023.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:
Public Hearing Noticed:
2nd Reading at Council/Public Hearing:
Published, Enactment Date:

June 26, 2023
July 6 & 13, 2023
July 24, 2023
August 3, 2023