

ORDINANCE #833

**ORDINANCE AMENDING § 85 OF THE CODE
OF THE VILLAGE OF SAUKVILLE, OZAUKEE COUNTY, WISCONSIN**

BE IT ORDAINED by the Village Board of the Village of Saukville, Ozaukee County, Wisconsin, that § 85 of the Code of the Village of Saukville is hereby amended to read as follows:

Chapter 85 Cigarette, Electronic Vaping Devices, and Tobacco Products Retailer License

§ 85-1 License required.

No person shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes, electronic vaping devices, or tobacco products, without first obtaining a license as hereinafter provided.

§ 85-2 Application for license; fee.

Every person, firm or corporation desiring a license under this chapter shall file with the Village Clerk a written application therefor, stating the name of the person and the place for which such license is desired. Each license shall be filed by the Village Clerk and shall name the licensee and the place wherein the licensee is authorized to conduct such business, and the same shall not be delivered until the applicant shall pay to the Village Clerk a license fee as set by the Village Board.

§ 85-3 Issuance and term of license.

Licenses for the sale, exchange, barter, disposition of or giving away or keeping for sale of cigarettes, electronic vaping devices, and tobacco products shall be issued by the Village Clerk. Each license shall be issued on the first day of July in each year, or thereafter whenever applied for, and shall continue in force from date of issuance until the succeeding June 30, unless sooner revoked for any violation of this chapter.

§ 85-4 Violations and penalties.

Any person who violates any provision of this chapter shall be subject to a penalty as provided in § 1-19 of this Code.

§85-5 Definitions.

- A. "Cigarette" has the meaning given in Wis. Stat. 139.30(1m).
- B. "Electronic Vaping Device" has the meaning given in Wis. Stat. 146.65(1a)(b) and means a device that may be used to deliver any aerosolized or vaporized liquid or other substance for inhalation regardless of whether the liquid or other substance contains nicotine, including an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. "Electronic vaping device" includes a component, part, or accessory of the device, and includes a liquid or other substance that may be aerosolized or vaporized by such device, regardless of whether the liquid or other substance contains nicotine. "Electronic vaping device" does not include a battery or battery charger when sold separately. "Electronic vaping device" does not include drugs, devices, or combination products authorized for sale by the U.S. food and drug administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
- C. "Tobacco Products" has the meaning given in Wis. Stat. 139.75(12)

Passed and adopted this 21st day of May, 2024.



Andy Heber
Village President

ATTEST:



Julie Friede
Village Clerk