

An Ordinance to amend section 359-16 "Regulation of Smoking" to include electronic delivery devices

The Village Board of the Village of Spencer do hereby ordain as follows:

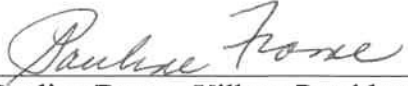
Section 359-16 is to now include-

c) For purposes of enforcing the smoking ban found in Wis. Stats. §101.123 within this Village, the definition found in this section for "smoke" or "smoking" shall apply instead of the definition for "smoking" found in said state statutes and the definition found in this section for "electronic delivery device" shall also apply.


e) "Electronic delivery device" means any product containing or delivering nicotine or other similar substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. Electronic delivery device includes any device manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or description, or any component part of such product whether or not sold separately. Electronic delivery device does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold solely for such an approved purpose.

d) "Smoke" or "smoking" means burning, holding, inhaling, exhaling or carrying any lighted or heated cigar, cigarette, pipe or heated tobacco or plant product intended for inhalation, whether natural, or synthetic, in any manner or form. Smoking includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or form, or the use of any oral smoking device.

ADOPTED: _____


Pauline Frome, Village President

APPROVED: _____

ATTEST: 
Paul Hensch, Village Clerk