

**VILLAGE OF OSCEOLA
POLK COUNTY, WISCONSIN**

ORDINANCE NO. 2023 - 07

**AN ORDINANCE TO AMEND THE VILLAGE CODE OF THE VILLAGE OF
OSCEOLA, POLK COUNTY, WISCONSIN**

The Village Board of the Village of Osceola, Polk County, Wisconsin, hereby ordains § Chapter 168-24. Cigarettes, tobacco and nicotine products, of the Code of the Village of Osceola is hereby amended and restated in its entirety to read as follows:

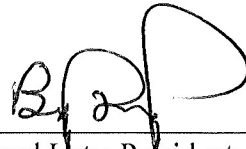
§ 168-24. Cigarettes, electronic smoking devices, tobacco and nicotine products.

A. Definitions.


- i. Smoking. Smoking shall have a meaning as defined in § 101.123, Wis. Stats., and shall also include the use of an electronic smoking device which emits an aerosol, particulates, or vapor, in any manner or in any form.
 - ii. Electronic Smoking Device. Electronic smoking device means any product containing or delivering nicotine, or any other legal or controlled substance, whether natural or synthetic, that can be used by a person to simulate smoking through inhalation of vapor, particulates, or aerosol from the device. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-pipes, vape pens, mods, tank systems, or under any other product name or description. The term also includes any component part of such product whether or not sold separately. The term electronic smoking device does not include any product that has been approved by the United States Food and Drug Administration (FDA) for sale as a tobacco cessation product and is being marketed and sold solely for that purpose.
- B. No person under 18 years of age may falsely represent his or her age for the purpose of receiving any cigarette, electronic smoking device, nicotine product, or tobacco product.
- C. No person under 18 years of age may purchase, attempt to purchase, or possess any cigarette, electronic smoking device, nicotine product, or tobacco product except as permitted in § 254-92, Wis. Stats.
- D. No person may purchase cigarettes, electronic smoking devices, 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, electronic smoking device, nicotine product, or tobacco product that has been sold to and is in the possession of a person under 18 years of age.
- F. Penalty: Any person who violates the above may be required to forfeit not more than \$500 for a first offense and subject to the penalties pursuant to § 254.92(2m), Wis. Stats., for subsequent offenses.

Adopted by the Village Board on November 14, 2023.

VILLAGE OF OSCEOLA

By: 

Brad Lutz, President

Attest: 

Carie Krentz, Clerk

Published: November 22, 2023