

**VILLAGE OF MARSHALL
ORDINANCE 2015-03**

**AN ORDINANCE TO AMEND TITLE 11, CHAPTER 5, SECTION 9
PURCHASE OR POSSESSION OF TOBACCO PRODUCTS**

Ordinance introduced by: Marshall Police Department

Purpose of ordinance amendment: To update the municipal code to reference the state laws on the regulation of cigarettes or tobacco products purchased or possessed by person(s) under 18.

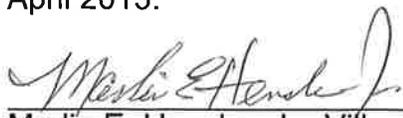
The Village Board of the Village of Marshall, Dane County, Wisconsin ordain as follows that Title 11 Chapter 5 Section 9 shall be amended as follows:.

(Double underlined areas are being added, strike through areas are being removed)

**SEC. 11-5-9 PURCHASE OR POSSESSION OF NICOTINE OR TOBACCO
PRODUCTS.**

- (a) **Definition of Tobacco Products.** For the purposes of this Section, "tobacco products" means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.
- (b) **Definition of Nicotine Products.** For the purposes of this Section, "nicotine products" means any product that contains nicotine and is not 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 medicinal purpose and is being marketed and sold solely for such an approved purpose.
- (b)(c) **Purchase by Minors Prohibited.** It shall be unlawful for any person under the age of eighteen (18) years to purchase tobacco or nicotine products, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco or nicotine products.
- (e)(d) **Possession By Minors Prohibited.** It shall be unlawful for any person under the age of eighteen (18) years to possess an tobacco or nicotine products; provided that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or legal guardian o such person in the privacy of the parent's or guardian's home shall not be prohibited.
- (e)(e) **Statutes Adopted.** (rev. 12/00', Ord. 2000-11) The provisions of Sections ~~48.983~~, 134.66, 254.92, 778.25(1)(a), and 938.983 Wis. Stats., are adopted by reference and incorporated herein.

Adopted by a vote of for, against and abstaining, and absent this 14th day of April 2015.



Marlin E. Hensler, Jr., Village President



Michelle Murphy, Village Clerk-Deputy Treasurer