

ORDINANCE NO. 9-6-10

AN ORDINANCE PROHIBITING THE PURCHASE OR POSSESSION OF TOBACCO PRODUCT BY A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS IN THE VILLAGE OF ALMA CENTER, JACKSON COUNTY, WISCONSIN.

The Village Board of the Village of Alma Center, Jackson County, Wisconsin, do ordain as follows:

SECTION 1. AUTHORITY. Pursuant to Section 66.0109, 134.66, 778.25(1)(a), 254.92(2) of the Wisconsin Statutes, and any subsequent amendments thereto, this ordinance is hereby created to prohibit the purchase or possession of tobacco products by a person under the age of eighteen (18) years within the Village of Alma Center. Any violation of this ordinance shall be treated as a civil forfeiture.

SECTION 2. DEFINITION. For the purpose of this ordinance, "tobacco products" means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

SECTION 3. PURCHASE BY MINORS PROHIBITED. It shall be unlawful for any person under the age of eighteen (18) years to purchase tobacco products, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products.

SECTION 4. POSSESSION BY MINORS PROHIBITED. It shall be unlawful for any person under the age of eighteen (18) years to possess any tobacco product; provided that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or legal guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

SECTION 5. STATUTES ADOPTED. The provisions of Section 66.0109, 134.66, 778.25(1)(a), 254.92(2) of the Wisconsin Statutes, and any subsequent amendments thereto, are adopted by reference and incorporated herein and any subsequent amendments thereto.

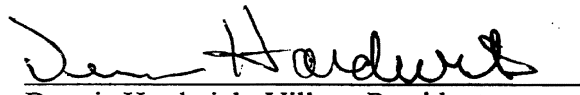
SECTION 6. PENALTY. Any person who violates this ordinance shall be subject to a disposition under Section 254.92(2) of the Wisconsin Statutes, or any subsequent amendments thereto.

SECTION 7. CONFLICTING ORDINANCES. All other ordinances or parts of ordinances of the Village of Alma Center inconsistent or in conflict herewith are hereby repealed.

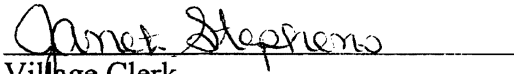
SECTION 8. SEVERABILITY. If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 9. CODE OF ORDINANCES. After the effective date of this Ordinance, same be known of Section 8.61 of the Code of Ordinances of the Village of Alma Center.

SECTION 10. EFFECTIVE DATE. Upon passage and publication, this Ordinance shall take effect and be in force as provided by law.


Dennis Hardwick, Village President

ATTEST:


Village Clerk

DATED: May 19 2003
PASSED: May 19 2003
PUBLISHED: 5/28/03