

12.09 Tobacco Products

An ordinance of the Town of Bridge Creek, Eau Claire County, Wisconsin to create sections 12.09 of the Municipal Code of the Town of Bridge Creek, Eau Claire County, Wisconsin relating to Tobacco Products in the Town of Bridge Creek.

THE TOWN BOARD OF THE TOWN OF BRIDGE CREEK DOES HEREBY ORDAIN AS FOLLOWS:

1. Definitions.

- a. **“Cigarette”** has the meaning given by Wisconsin Statutes Section 139.30(1).
- b. **“Law enforcement officer”** has the meaning given in Wisconsin Statutes Section 30.50(4s).
- c. **“Tobacco products”** has the meaning given in Wisconsin Statutes Section 139.75(12)
- d. **“E-cigarette”** is a device used to simulate the experience of smoking, having a cartridge with a heater that vaporizes liquid nicotine or other substances instead of burning tobacco also commonly referred to as a vaping device.
- e. **“E-cigarette supplies”** are any liquid or other substance used to fill an e-cigarette cartridge or reservoir, commonly referred to as e-liquid or e-juice.
- f. **“Legal age”** is described as the legal age in which to lawfully possess or use a certain item.

2. Possession of tobacco products or e-cigarette prohibited.

Whoever does any of the following may be penalized as provided in 12.09(5):

- a. Except as provided in subsection (b) of this section, no person under the legal age may do any of the following:
 - i. Buy or attempt to buy any cigarette, tobacco product, e-cigarette or e-cigarette supplies; Minor Attempts to buy Tobacco Product or Electronic Smoking Device-Bond Amount \$250.00
 - ii. Falsely represent his or her age for the purpose of receiving any cigarette, tobacco product, e-cigarette or e-cigarette supply; Falsely Represents Age for Receiving Tobacco or Electronic Smoking Device-Bond Amount \$250.00
 - iii. Possess any cigarette, tobacco product, e-cigarette or e-cigarette supplies; Possession of Tobacco product or Electronic Smoking Device-Bond Amount \$125.00
- b. A child may purchase cigarettes, tobacco products, e-cigarette or e-cigarette supplies for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer licensed under Wisconsin Statutes Section 134.65(1).
- c. A law enforcement officer shall seize any cigarette, tobacco product, e-cigarette or e-cigarette supply involved in any violation of subsection A of this section committed in his or her presence.
- d. Any person violating the provisions of this section will be subject to a forfeiture not to exceed fifty dollars in accordance with Wis. Stat. § 938.343(2).

3. Delivery of tobacco products, e-cigarettes and e-cigarette supplies to minors prohibited.

Whoever does any of the following may be penalized as provided in 12.09(5):

- a. Sells, trades, gives away or otherwise transfers cigarettes, e-cigarettes, e-cigarette supplies or any other tobacco products to a person under the legal age to possess such items. Delivery of Tobacco Product or Electronic Smoking Device to Minor-Bond Amount \$500.00

4. Possession of Tobacco Products on School Grounds

- a. It is unlawful for any person to use any tobacco product, nicotine product, or cigarette on the premises owned or rented by, or under the control of, the School Board of the Augusta Area School District. The

School Board of the Augusta Area School District may allow the use of tobacco products, nicotine products, and cigarettes on premises owned by the School District and rented to another person for non-educational purposes.

- b. Penalty: Possession of Tobacco Products on School Owned Property-Bond Amount \$150.00

5. **Penalties:**

Whoever violates this section, shall, upon conviction shall be subject to a penalty as provided in Town of Bridge Creek Bond Schedule (Known as Attachment A).

Effective Date: The ordinance shall be effective upon passage and publication as provided by law.

Adopted 20th day of March 2025 by the Town Board of the Town of Bridge Creek.