PROPOSED

CITY OF MONTELLO

ORDINANCE 245-12 TOBACCO PRODUCTS

245-12A (changes are in **BOLD**)

1. Sale of tobacco, tobacco products, **or vaping products** to minors forbidden. Any person, by himself, his servant, or agent, or as the servant or agent of any other person, who shall sell, give away, or otherwise dispose of directly or indirectly, by vending machine or otherwise, and tobacco or tobacco product or **vape device or vaping product** to any person under the age **21** years, shall, for every such offense, be liable to a penalty, and any such person so receiving or possessing such products shall also be liable to a penalty.

B (1) Definitions

**VAPING is the inhaling of a vapor created by an electronic cigarette (e-cigarette) or other vaping device.**

**VAPING DEVICE also known as e-cigarettes or e-vaporizers, or electronic nicotine delivery systems, are battery operated devices that are used to inhale an aerosol, which typically contains nicotine, flavorings, and other chemicals.**

**VAPING PRODUCT These are products that use an “e-liquid” that may contain nicotine, as well as varying compositions of flavorings, propylene glycol, vegetable glycerin and other ingredients. The liquid is heated to create an aerosol that the user inhales.**

245-12B(2) Except as provided in Subsection B(3), no **person under the age of 21 years** may do any of the following:

1. Buy or attempt to buy any cigarette or tobacco product **or vaping device or product**
2. Falsely represent his or her age for the purpose of receiving any cigarette, tobacco product, **or vaping device or product.**
3. Possess any cigarette, tobacco products, **or vaping device or product**. See 254.92 Wis Stats.

245-12B(4)

1. No child may possess or use any cigarette or tobacco, **or vaping device or product** at any time in school or on school grounds.
2. No adult may use any cigarette or tobacco product, **or vaping device or product** at any time in school or on school grounds.

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