

ORDINANCE NO.:5287

AN ORDINANCE to amend Chapter 10, Article V of the Code of Ordinances of the City of La Crosse regarding the licensing of cigarettes, tobacco products, and electronic vaping devices.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Chapter 10, Article V is hereby amended to read as follows:

ARTICLE V. RETAIL CIGARETTE, AND TOBACCO DEALERS PRODUCTS, AND ELECTRONIC VAPING DEVICES.

SECTION II: Sec. 10-171 is hereby amended to read as follows:

Sec. 10-171. License.

- (a) *Required.* Pursuant to the Wis. Stat. § 134.65, no persons shall in any manner, or upon any pretense or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes, or tobacco products, and electronic vaping devices to any person without first obtaining a retail license from the City Clerk, as hereinafter provided.
- (b) *Applications.* A written application shall be filed with the City Clerk on forms as ~~provided by the City Clerk's Office~~ required by the Department of Revenue. Each application shall include the name of the proposed licensee, a specific description of the premises where such business is to be conducted, and whether the licensee will sell, ~~exchange, barter, dispose of, or give away~~ the cigarette, or tobacco products, or electronic vaping devices over the counter or ~~in from~~ a vending machine, ~~or both~~.

SECTION III: Sec. 10-172 is hereby amended to read as follows:

Sec. 10-172. Records.

Every licensed retailer under this article shall keep complete and accurate records of all purchases and receipts of cigarettes, ~~and tobacco products,~~ and electronic vaping devices. Such records shall be preserved on the licensed premises for two years in such a manner as to ensure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized State and local law enforcement officials.

SECTION IV: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION V: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki M. Elsen, City Clerk

Passed: 4/11/2024
Approved: 4/15/2024
Published: 4/20/2024