

STATE OF WISCONSIN
TOWN OF WASHINGTON, VILAS COUNTY

CODE OF ORDINANCES

**CHAPTER 9: LICENSURE OF CIGARETTES, TOBACCO AND ELECTRONIC
VAPING DEVICES - RETAILERS ORDINANCE AS AMENDED SEPTEMBER 9,
2024**

9.01 Title and Purpose

This ordinance is entitled the Town of Washington Licensure of Tobacco Retailers Ordinance. The purpose of this ordinance is to ensure that tobacco retailers comply with all tobacco control laws of the state of Wisconsin in order to protect the health, safety, and welfare of town residents.

9.02 Authority

The town board has the specific authority under §134.65 Wis. Stats. and 2023 Wisconsin Act 73 to require licensure of tobacco retailers. State law requires all tobacco retailers to be licensed by the town before selling, exposing for sale, possessing with intent to sell, exchanging, disposing, or giving away cigarettes and tobacco products (Wis. Stat. § 134.65(1)) and 2023 Wisconsin Act 73.

9.03 Conditions

- A. License Required – No person shall sell or possess with intent to sell any cigarettes or tobacco products within the Town of Washington without first obtaining a tobacco retailer license. Such license shall be in addition to any other license required by state and/or federal law.
- B. Nontransferable – A tobacco retailer license is valid for one person at one premises and shall not be transferred from one person to another nor from one premises to another.
- C. License Application – Applications for a tobacco retailer license shall be made in writing to the Town of Washington Clerk.
- D. License Fee – The license fee is determined and set by the town board and placed in the fee schedule which may be revised from time to time by the town board.
- E. Issuance of License – Upon receipt of a proper application for a tobacco retailer license and payment of the licensing fee, the Town of Washington Clerk shall issue a tobacco retailer license after approval by the town board.

- F. Term of License - Each tobacco retailer license shall be issued on July 1 of each year or when applied for and continue in force until the following June 30. If the application is filed after July 1, the license fee required by 9.03(D) shall not be prorated.

9.04 Severability

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

9.10 Adoption of Ordinance

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, establishes the requirement for tobacco retailers in the Town of Washington to obtain a license to sell tobacco products.

This ordinance rescinds and replaces all tobacco retailer licensure ordinances previously adopted by the Town of Washington.

9.10 Effective Date

This ordinance is effective upon adoption and publication or posting. The town clerk shall properly post or publish this ordinance as required under § 60.80, Wis. Stats.

Amended the 9th day of September, 2024.



Jim Egan, Town Chairman

Attest:



Nancy Sobralski, Clerk

Effective Date: September 10, 2024

Publication Date: September 10, 2024

Town of Washington Ordinance Amendment Record

Chapter 9 Licensure of Cigarettes, Tobacco and Electronic Vaping Devices –
Retailers Ordinance adopted April 17, 2018

Date	Article	Section	Amendment Summary
3/4/2019	5.09		Removal of individual license fees. Addition of: License fees are determined and set by the town board and placed in the fee schedule which may be revised from time to time by the board.
9/9/2024			Add references to 2023 Wisconsin Act 73