

AN ORDINANCE TO RE-CREATE SECTION 5.28 OF THE CODE OF GENERAL ORDINANCES OF THE TOWN OF DOVER, RACINE COUNTY.

The Town Board of the Town of Dover, Racine County, Wisconsin does hereby re-create Ordinance 5.28 to read as follows:

Chapter 5.28

CIGARETTE, TOBACCO AND VAPING PRODUCTS RETAILER LICENSE

Sections:

- 5.28.010** State statutes adopted.
- 5.28.020** License required.
- 5.28.030** Licenses and fees.
- 5.28.040** License application.
- 5.28.050** Penalties.

5.28.010 State statutes adopted.

The provisions of Wisconsin Statutes Section 134.65, and any amendment thereto, are adopted and made a part of this chapter by reference. A violation of any such provision shall constitute a violation of this section. (Ord. 99-5 (part))

5.28.020 License required.

No person, except as provided by Wisconsin Statutes Section 134.65, shall by device, directly or indirectly, sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes, tobacco products or electronic vaping devices as defined in Section 134.65 of the Statutes of the State of Wisconsin, to any person not holding a license as provided in Wisconsin Statutes Section 134.65, without first obtaining a license from the town clerk. (Ord. 99-5 (part))

5.28.030 Licenses and fees.

- A. Upon filing of a written application, a license shall be issued.
- B. Each license shall name the licensee and specifically describe the premises where such business is to be conducted. Such licenses shall not be transferable from one person to another, nor from one premises to another.

C. Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes, tobacco products and electronic vaping devices as defined in Section 134.65 of the Statutes of the State of Wisconsin. 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. (Ord. 99-5 (part))

5.28.040 License application.

A. Form. Application for a license to sell or deal in cigarettes, tobacco products or electronic vaping devices as defined in Section 134.65 of the Statutes of the State of Wisconsin shall be made in writing on forms prescribed by the State Department of Revenue and filed with the town clerk. The premises shall be physically described, including every room and storage space to be covered by the license and including all rooms joined by connecting entrances or not separated by a solid wall.

B. Application shall be signed and sworn to by the applicant as provided by Wisconsin Statutes Section 887.01. (Ord. 99-5 (part))

5.28.050 Penalties.

Any person violating this section shall be fined in accordance with the forfeiture set forth in Wisconsin Statutes Section 134.65, including all provisions relating to termination of the license. (Ord. 99-5 (part))


Introduced and adopted this 9th day September, 2024 by the Town Board of the Town of Dover, Racine County, Wisconsin.

TOWN OF DOVER

BY:


Chairman Sam Stratton

ATTEST:


Clerk Camille Gerou