

**ORDINANCE NO. 2024-03  
VILLAGE OF CALEDONIA**

**AN ORDINANCE TO AMEND TITLE 7, CHAPTER 3, SECTION 1 RELATED TO  
CIGARETTE, TOBACCO, AND ELECTRONIC VAPING DEVICES LICENSING**

The Village Board of the Village of Caledonia, Racine County, do ordain as follows:

1. That Section 7-3-1 of the code of ordinances for the Village of Caledonia “Cigarette License” be, and hereby is, amended to read as follows:

**“SEC. 7-3-1 CIGARETTE, TOBACCO, AND ELECTRONIC SMOKING DEVICES  
LICENSE.**

- (a) **Definitions.**
- (1) “Cigarette” means any roll of tobacco wrapped in paper or any substance other than tobacco.
  - (2) “Cigarette products” means cigarette paper, cigarette wrappers, or any substitutes.
  - (3) “Electronic vaping device” means a device that may be used to deliver any aerosolized or vaporized liquid or other substance for inhalation, regardless of whether the liquid or other substance contains nicotine, including an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. “Electronic vaping device” includes a component, part, or accessory of the device, and includes a liquid or other substance that may be aerosolized or vaporized by such device, regardless of whether the liquid or other substance contains nicotine. “Electronic vaping device” does not include a battery or battery charger when sold separately. “Electronic vaping device” does not include drugs, devices, or combination products authorized for sale by the U.S. food and drug administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
  - (4) “Tobacco products” means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.
- (b) **License Required.** No person shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, give away, or keep for sale, any cigarettes and cigarette products, tobacco products, and electronic vaping devices without first obtaining a license.
- (c) **Application for License; Fee.** Every person applying for a license under this section shall file a written application with the Village Clerk stating the name of the applicant and the name and address of the premise for which the license is requested. The applicant shall pay a license fee in an amount set by resolution of the Village Board from time to time.
- (d) **Issuance and Term of License.** A license under this Section will be issued by the Village Clerk unless the Clerk refers the application to the Village Board for denial or

non-renewal as set forth in Section 7-3-1(e). Each license will be issued on the first day of July in each year, or from the date approved, if after July 1, and shall continue in force from the date of issuance until the succeeding June 30th unless revoked or suspended for any violation of this section.

- (e) **Revocation, Suspension, or Denial of License.** Any license issued under this Section may be suspended or revoked for cause by the Village Board after notice to the licensee and a hearing. Any application for a license under this Section be denied or non-renewed for cause by the Village Board after notice to the licensee and a hearing. "Cause" shall include, but is not limited to, the sale of illegal products such as products containing THC or other drugs, or other violations as set for in Wis. Stat. § 134.65(7). Notice and hearing on revocation, suspension, denial or non-reviewal shall be conducted in accordance with Wis. Stat. 134.65 (6)-(7).
- (f) **Penalty.**
- (1) Any person who violates any of the provisions of this section shall, upon conviction, be subject to a forfeiture of not more than \$500 and, in default thereof, may be imprisoned as provided by law.
- (2) Citations may be issued for all violations of this section with or without prior notice. The stipulation, forfeiture and court appearance amounts set forth in Section 1-1-6 shall apply to this Section.
- (g) **Statutory Provisions.** The provisions of Wis. Stats. §§ 134.65 and 134.66 and Chapter 139, regulating the use of tobacco products shall be adopted in this section."

2. That this ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 23 day of April, 2024.

**VILLAGE OF CALEDONIA**

By: Thomas R Weatherston  
Thomas Weatherston  
Village President

Attest: Jennifer Olsen  
Jennifer Olsen  
Village Clerk