

CHAPTER 42

CIGARETTES

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CHAPTER 42

CIGARETTES

SECTION 42.01 License Required.

No person not holding a license as provided herein shall in any manner, directly or indirectly, manufacture, sell, expose for sale, possess with intent to sell, barter, exchange, dispose of or give away or keep for sale any cigarettes to any person. This section shall not apply to jobbers or manufacturers as defined in Section 139.30, Wis. Stats., providing cigarettes solely for resale.

SECTION 42.02 Application and Fee.

A written application shall be filed with the Village Administrator/Clerk-Treasurer. The fee as set by the Village Board for such cigarette license shall be paid to the Village Administrator/Clerk-Treasurer, who shall not issue the license until the fee is paid. No person not holding a permit as provided in Sections 139.30 to 139.41, Wis. Stats., shall be granted a license under this chapter.

SECTION 42.03 Form of License; Expiration; Transfer.

All cigarette licenses shall be signed by the Village Administrator/Clerk-Treasurer and indicate thereon the name of the licensee and the place where he is authorized to conduct the licensed business and shall expire on June 30 next succeeding the date of issue unless sooner revoked. No license shall be transferable as to the location of the licensed premises or person licensed.

SECTION 42.04 Records.

Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes. Such record shall be kept on the licensed premises for two years and shall be open for inspection by law enforcement officials at all reasonable hours.

SECTION 42.05 Enforcement; Violations and Penalties.

- (a) **Violations.** The following penalties shall apply to violations of this chapter: not to exceed \$25.
- (b) **Each Day a Separate Offense.** Each day of a continuing violation shall constitute a separate offense.
- (c) **Revocation or Suspension.** In addition to any other penalties imposed, any license issued under the provisions of this chapter may be revoked or suspended by the Village Board for any period the Board designates pursuant to the following:

- (1) **Grounds.** Licenses may be revoked or suspended for any of the following:
 - a. Violations of this chapter.
 - b. Violations of state law.
 - c. Fraud or misrepresentation in the conduct of the licensed activity.
- (2) **Furnishing Incorrect Information in the Application.**
- (3) **Procedures.** The Village Board shall conduct a hearing, giving the licensee an opportunity to be heard prior to suspending or revoking any license.
- (4) **Review of Suspension or Revocation.** Review of the decision to revoke or suspend a license shall be permitted as provided for in Ch. 68, Wis. Stats..