VILLAGE OF MARATHON CITY, MARATHON COUNTY, WISCONSIN
AN ORDINANCE AMENDING SECTION 11.5.5 OF THE GENERAL CODE OF ORDINANCES ENTITLED "PURCHASE OR POSSESSION OF TOBACCO PRODUCT" AND CREATING SECTION 11.5.6 OF THE GENERAL CODE OF ODINANCES ENTITLED "POSSESSION OF CONTROLLED SUBSTANCES"

The Village Board of the Village of Marathon City, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 11.5.5 Of the General Code of Ordinances of the Village of Marathon City, Wisconsin, entitled "Possession of Controlled Substances" is hereby amended by the deletion of the stricken text and addition of the underlined text, to provide as follows

Sec. 11.5.5 Purchase or Possession of Tobacco Products.

(A) **Definition of Tobacco Products.** For the purpose of this Section, "tobacco products" means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, ~~or~~ dipping tobacco, pod, capsule, any liquid nicotine substance, or any device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, vape pen, electronic vaping device, or any other similar device.

(B) **Purchase by Minors Prohibited.** It shall be unlawful for any person under the age of eighteen (18) years to purchase tobacco products, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products.

(C) **Possession By Minors Prohibited.** It shall be unlawful for any person under the age of eighteen (18) years to possess any tobacco products~~; provided that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or legal guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited~~.

(D) **Statutes Adopted.** The provisions of ~~Sections 48.983,~~ Wis. Stat. §§ 134.66 and 254.92 ~~778.25(1)(a), Wis. Stats.,~~ are adopted by reference and incorporated herein.

(E) **Penalties.** Violations of this Sections ~~11.5.4 by a person under the age of eighteen (18)~~ shall be punishable according to the Village's ~~current~~ bond schedule, which may provide for different penalties based on the age of the violator. Nothing in this Section shall prevent the officer, in his discretion, from referring cases directly to the District Attorney's Office or Children's Court services.

SECTION 2: Section 11.5.6 Of the General Code of Ordinances of the Village of Marathon City, Wisconsin, entitled "Possession of Controlled Substances" is hereby created to provide as follows:

Sec. 11.5.6 Possession of Controlled Substances.

(A) **Possession by Minors Prohibited.** It shall be unlawful for any person under the age of seventeen (17) years to possess a controlled substance contrary to the Uniform Controlled Substances Act, Wis. Stat. ch. 961, hereby adopted by reference and incorporated herein

(B) **Penalties.** Violations of this Section shall be punishable according to the Village's bond schedule, which may provide for different penalties based on the age of the violator. Nothing in this Section shall prevent the officer, in his discretion, from referring cases directly to the District Attorney's Office or Children's Court services.

SECTION 3: If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 4: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

Adopted this 4th day of November, 2026.

VILLAGE OF MARATHON CITY

By: _____
Kurt Handrick Jr., President

ATTEST:

_____
Cassandra "Cassie" Lang, Clerk

ADOPTED: 11/4/2026

PUBLISHED: 11/11/2026