

**ORDINANCE**

An Ordinance to amend Section 14.270 of the Manitowoc Municipal Code regulating Smoking and Tobacco Products.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1.** Section 14.270 is amended to read as follows:

**“14.270 Smoking and Tobacco Products.**

**(1) Definitions.** ~~As used herein, to~~

Electronic Smoking Device means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term ‘electronic smoking device’ includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, vape pens, mods, tank systems, or under any other product name or descriptor. And includes any component part of a product, whether or not marketed or sold separately.

**Smoke** means to burn, hold, inhale, exhale, or carry a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

**Smokeless tobacco** means any tobacco which is used by means other than smoking.

**(2) Smoking Prohibited in Enclosed Spaces.** ~~Effective July 5, 2010,~~ The City of Manitowoc hereby adopts and incorporates by reference Wis. Stat. § [101.123](#), as amended from time to time, prohibiting smoking in enclosed places, and further prohibits use of electronic smoking devices wherever smoking is prohibited.

...”

**Section 2.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_ APPROVED \_\_\_\_\_

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Justin M. Nickels, Mayor

**Fiscal Impact:** negligible  
**Funding Source:** n/a  
**Finance Director Approval:** /sc  
**Approved as to form:** kmm

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney