

AMENDED
CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE AGENDA
Monday, September 09 2019 – 6:00 P.M.

[A quorum of the City Council may attend this meeting]

Discussion and Possible Action on the Following:

1. License List:
 - A. New Operators (Bartenders) Licenses.
2. Class "B" Fermented Malt Beverage and Class "C" Wine License:
 - A. Adventure 212 Fitness, LLC, for Adventure 212 Fitness LLC, 3217 John Joanis Drive, for license period beginning September 17, 2019.
3. Change of Agent:
 - A. Schierl Sales Corporation, 2201 Madison Street, Stevens Point, WI; Melissa Wanta, 141 12th Street North, Wisconsin Rapids, agent at The Store, 708 Division Street, Stevens Point, replacing Sean Quirk.
4. Request to Hold Event/Street Closing.
 - A. Purple Ribbon Walk Portage County Creative Community Response Team (CCRT) September 30, 2019 Court House Area. (Recurring)
 - B. YMCA Frost Bite Race December 7, 2019. (Recurring)
5. Ordinance Amendment – Chapter 24 – Section 24.56 Possession of non-tobacco smoking products by minors.
- *6. To accept the Ordinance Amendments in Section 9.05 regarding overnight parking.**
7. Adjournment.

RMC – Revised Municipal Code

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure reasonable accommodations can be made. The City Clerk can be reached by telephone at (715) 346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during normal business hours from 7:30 A.M. to 4:00 P.M.

LICENSE LIST
PUBLIC PROTECTION COMMITTEE
Monday, September 9, 2019

****PROVISIONAL OPERATOR LICENSE:**

1.	LEHRER, DILLON M.	2700 FIFTH AVENUE, STEVENS POINT, WI 54481
2.	JALLING, JAKE E.	1824 MAIN STREET, STEVENS POINT, WI 54481
3.	KUJAWA, DEANNA K.	1001 FRANKLIN STREET, STEVENS POINT, WI 54481
4.	WORZALLA, CODY W.	2541 PECK STREET, STEVENS POINT, WI 54481
5.	BAERTLEIN, AGANA L.	2032 BRIGGS STREET, STEVENS POINT, WI 54481
6.	KORES, ANGELA R.	2041 BRIGGS STREET, STEVENS POINT, WI 54481
7.	ZALAC, THOMAS D.	402 GRANITE RIDGE RD, STEVENS POINT, WI 54481
8.	PRAIS-HINTZ, ERIN L.	4800 NICOLET AVENUE, STEVENS POINT, WI 54481
9.	TENHAGEN, KALEB T.	2625 FOURTH AVENUE, STEVENS POINT, WI 54481
10.	HUETTL, DANETTE E.	1501 WYATT AVENUE, STEVENS POINT, WI 54481
11.	MURPHY, DYLAN T.	2600 SUNSET BLVD APT 18, STEVENS POINT, WI 54481
12.	OSTERBRINK, GLEN J.	341 WADLEIGH STREET, STEVENS POINT, WI 54481
13.	SPRECHER, FRANCIS J.	417 FREDERICK ST N APT 4, STEVENS POINT, WI 54481
14.	CZAIKOWSKI, DANIEL I.	300 CHAPLEY AVENUE, JUNCTION CITY, WI 54443
15.	DOMBECK, ALLISON K.	1400 SIXTH AVENUE, STEVENS POINT, WI 54481
16.	MUELLER, JOHN S.	1600 BRIGGS STREET, STEVENS POINT, WI 54481
17.	OMERNIK, EMILY A.	7474 RUSTIC ROAD, CUSTER, WI 54423
18.	PRESCOTT, AMY M.	618 PORTAGE STREET, STEVENS POINT, WI 54481
19.	SANKEY, TAMMY R.	8603 FOUNTAIN GROVE RD, AMHERST, WI 54406
20.	CONRADY, JAMES M.	1709 RESERVE STREET, STEVENS POINT, WI 54481
21.	FREYBLER, HALEY J.	428 GILLETTE STREET, UNIT A, LACROSSE, WI 54603
22.	HALSEY, NICHOLAS E.	E2132 NELSON RD, WAUPACA, WI 54981
23.	WELLER, DANIEL P.	1384 NORTH POINT DR, STEVENS POINT, WI 54481
24.	MCNAMARA, COLLIN P.	2833 SOO MARIE AVE, STEVENS POINT, WI 54481
25.	PFEIFER, WILLIAM C.	1340 22ND AVE S, WISCONSIN RAPIDS, WI 54495
26.	ANDERSON, LAUREN E.	2600 STANLEY STREET, STEVENS POINT, WI 54481
27.	EDWARDS, ANNA R.	3820 FOREST DRIVE #9, PLOVER, WI 54467
28.	HENSELER, CAMILLE L.	3500 BUSH ST APT 7, STEVENS POINT, WI 54481
29.	REINWAND, SETH J.	2941 MINNESOTA AVE, STEVENS POINT, WI 54481
30.	HAVLOVICK, DONNA M.	5718 CRESCENT VIEW DR, STEVENS POINT, WI 54482
31.	COOK, AMY L.	1900 CLARK STREET, STEVENS POINT, WI 54481
32.	AULDS, HUNTER D.	2501 FOURTH AVE APT 3, STVENS POINT, WI 54481
33.	DALLMAN, CAELYN M.	201 MINNESOTA AVE APT 3, STEVENS POINT, WI 54481
34.	GREGORICH, TAYLOR M.	920 SIXTH STREET, PLOVER, WI 54467
35.	NARLOCH, MILISSA J.	1122 ALICE STREET, ROTHSCHILD, WI 54474
36.	CULLERTON, MARC W J.	1290 NORTH POINT DR APT O, STEVENS POINT, WI 54481
37.	GAUER, KATI E.	1200 RIVERVIEW AVE APT 143, STEVENS POINT, WI 54481
38.	KOWALD, ELYSSA E.	3500 WILLOW DRIVE, PLOVER, WI 54467
39.	SANCHEZ-STEVENASKI, KEVIN A.	3500 WILLOW DRIVE, PLOVER, WI 54467
40.	WEGNER, KEATON R.	1200 NORTH POINT DR APT A4, STEVENS POINT, WI 54481
41.	REED, KAYLA M.	2216 DIVISION ST APT A, STEVENS POINT, WI 54481

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| 42. | HUSS, ALEXANDER | 1230 NORTH POINT DRIVE, STEVENS POINT, WI 54481 |
| 43. | MARKGRAF, HOLLY J. | 2440 DONS DRIVE APT 3, PLOVER, WI 54467 |
| 44. | NAGORSKI, CHERI R. | 2001 RIVER VIEW AVE #28, STEVENS POINT, WI 54481 |
| 45. | WROBLEWSKI, KIRSTIN J. | 740 OAKWOOD AVE, PLOVER, WI 54467 |
| 46. | BORTH, ERIN M. | 517 SPRUCE STREET, MARATHON, WI 54448 |
| 47. | CHECCO, EMILY M. | 2424 PRAIS STREET, STEVENS POINT, WI 54481 |
| 48. | SCHAFFER, TINA M. | P O BOX 494, PLOVER, WI 54467 |
| 49. | BENTS, TESS E. | 1117 PHILLIPS STREET, STEVENS POINT, WI 54481 |
| 50. | MCKAY, CHRISTOPHER E. | 1656 MAIN STREET, STEVENS POINT, WI 54481 |
| 51. | COOPER, DAVEON D. | 201 WEST CLARK STREET, STEVENS POINT, WI 54481 |
| 52. | RAMSEY, PATRICK S. | 1600 BRIGGS STREET, STEVENS POINT, WI 54481 |
| 53. | SOPA, EMILY M. | 1501 WYATT AVENUE, STEVENS POINT, WI 54481 |
| 54. | BROAS, DIANNA L. | 2132 CLARK STREET UNIT 2, STEVENS POINT, WI 54481 |
| 55. | CROCKER, DALE A. | 5955 BIRCH DRIVE TRL 32, PLOVER, WI 54467 |
| 56. | PLASKI, ARIEL Z M. | 1417 MICHIGAN AVENUE, STEVENS POINT, WI 54481 |
| 57. | MIELKE, SCOTT G. | 2941 BEA JAY LN #3, PLOVER, WI 54467 |
| 58. | MARCELL, BRENDA M. | 1896 JAYNES RD, KRONENWETTER, WI 54455 |
| 59. | SHAW, BRYCE J. | 1100 NORTH POINT DR APT D13, STEVENS POINT, WI 54481 |

CLASS "B" FERMENTED MALT BEVERAGE AND CLASS "C" WINE LICENSE:

1. **Adventure 212 Fitness, LLC**, for Adventure 212 Fitness LLC, 3217 John Joanis Drive, for license period beginning September 17, 2019.

CHANGE OF AGENT:

1. **Schierl Sales Corporation**, 2201 Madison Street, Stevens Point, WI; Melissa Wanta, 141 12th Street N., Wisconsin Rapids, agent at The Store #51, 708 Division Street, Stevens Point, replacing Sean Quirk.

****ISSUANCE OF ANY LICENSE IS CONTINGENT UPON APPLICANTS COMPLIANCE WITH THE TRAINING REQUIREMENTS OF SEC. 125.17(16), WISCONSIN STATUTES.**

CITY OF STEVENS POINT
APPLICATION FOR SPECIAL EVENT PERMIT

City of Stevens Point, 1515 Strongs Ave. Stevens Point, WI 54481

Answer all questions completely. Please print clearly.
This application must be on file in the City Clerk's Office at least **60 days prior** to the event.

- 1.) Please Check One: New Event As Previously Presented Changed Since Last Event
- 2.) Request is for: Parade Run/Walk Exhibition Other _____
- 3.) Name of Event: 4th Annual Purple Ribbon Walk Date of Event September 30, 2019
- 4.) Name of Sponsoring Organization: Portage County CCRT
Address: _____ City: _____ State: _____ Zip Code: _____
- 5.) Contact Person: Gail Zalewski, Chair, Portage County CCRT Community Awareness Subcommittee
Phone: 715-570-3108 Fax: _____ Email: gailzale@mwwb.net
Address: 1303 Hwy 66 W City: Stevens Point State: WI Zip Code: 54481
- 6.) Assembly Time: 11:55 am Start Time: noon End Time: 1:00 pm
Specific Location of Event: corner of Arlington Av. & Church St.
- 7.) Map of the Event Attached? Yes No Street Closures Required? Yes No
List of Street Blocks that will need to be closed: _____
- 8.) Estimated Number of Participants: 50? Spectators: 0 Vehicles: 0 Animals: 0
- 9.) Food Prepared/Served at event? Yes No *If yes, contact Portage County Health Dept. at 715-345-5350 and Fire Dept. at 715-344-1833*
- 10.) Will alcoholic beverages be served? Yes No *If yes, contact City Clerk's Office 715-346-1569*
- 11.) Will the event utilize any City Facilities? Yes No *Note: Park facilities handled by Parks Dept. 715-346-1531*
- 12.) Check which services are needed: Police Auxiliary Officer *Contact Police Dept. sspath@stevenspoint.com*

Please explain: _____

- 13.) Will any fireworks or other pyrotechnic devices be used during the event? Yes* No

*If yes, Please explain: _____

- 14.) Will tents as described below* or other temporary structures be erected? Yes* No

*If yes, you will need a permit from the Fire Department. Please contact them at 715-344-1833 and ask for the officer on duty.

*You will be erecting a tent or other temporary structure over 400 square feet or the aggregate area of smaller tents installed within 12 feet of each other is greater than 400 square feet. A tent is defined as a structure, enclosure, or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except air.

*You will be erecting a canopy over 700 square feet or the aggregate area of smaller canopies installed within 12 feet of each other is greater than 700 square feet. A canopy is defined as a tent that is open on all sides.

- 15.) Will smaller tents or other temporary structures be erected? Yes No

- 16.) Are Inflatables or Bounce Houses part of your event? Yes* No

*If yes, you must have a certificate of insurance on file. Contact the Treasurer's Office (715-346-1573) for more information.

APPLICATION CONTINUED ON THE BACK

17.) Briefly describe your Event (you may attach additional pages):

The 4th Annual Purple Ribbon Walk will be held on Monday, September 30, 2019 after the release of the 2018 WI Domestic Violence Homicide Report by End Abuse Wisconsin. Silent walks will also be held in Madison (at the Capitol) and Milwaukee (at City Hall), after which the names of the 2018 victims will be read. We have held a walk in Stevens Point to coincide with these walks since 2016, and would like to continue this tradition to keep the memories of the victims alive and demonstrate our collective commitment to end domestic violence.

We will walk around the Courthouse block beginning at noon, carrying flags with the names of all of the victims. This will be followed by a brief ceremony on the Courthouse steps on Strong's Av. with comments by a CCRT member, CAP Services Family Crisis Center staff, a local government official and a member of local law enforcement. A victim statement may also be read. We will be sending out speaker invites once the event is approved.

18.) Is any other special assistance from the City needed?

No.

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

HOLD HARMLESS INDEMNIFICATION AND DEFENSE

THE APPLICANT AND/OR THE ORGANIZATION AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF STEVENS POINT AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS FROM AND AGAINST ANY AND ALL LIABILITY, LOSS, DAMAGE, EXPENSES, COSTS, INCLUDING ATTORNEY FEES ARISING OUT OF THE ACTIVITIES PERFORMED AS DESCRIBED HEREIN, CAUSED IN WHOLE OR IN PART BY ANY NEGLIGENT ACT OR OMISSION OF THE APPLICANT/ORGANIZATION, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY ANY OF THEM OR ANYONE WHOSE ACTS ON BEHALF OF THEM MAY BE LIABLE, EXCEPT WHERE CAUSED BY THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY.

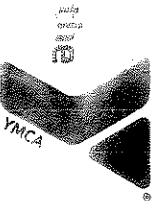
I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:



Signature of Applicant

08/14/2019

Date



SAVE THE DATE!

Saturday, December 7 @ 12PM

44th Annual

FROSTBITE

2019 Road Race & Winter Walk

Presented by



5K family walk • 5 or 10 mile race

Sign up at Member Services or go to www.spyymca.org/events



CITY OF STEVENS POINT
APPLICATION FOR SPECIAL EVENT PERMIT

City of Stevens Point, 1515 Strongs Ave. Stevens Point, WI 54481

Answer all questions completely. Please print clearly.
This application must be on file in the City Clerk's Office at least **60 days** prior to the event.

1.) Please Check One: New Event As Previously Presented Changed Since Last Event

2.) Request is for: Parade Run/Walk Exhibition Other _____

3.) Name of Event: 44th Annual Frostbite Road Race Winter Walk Date of Event 12/07/19

4.) Name of Sponsoring Organization: Community First Bank

Address: _____ City: _____ State: _____ Zip Code: _____

5.) Contact Person: Jinzey Krutzitski

Phone: 715-952-9360 Fax: — Email: 1krutzitski@spjmcra.org

Address: 1000 Division St City: Stevens Point State: WI Zip Code: 54481

6.) Assembly Time: 7:00 AM Start Time: 12:00 pm End Time: 3:00 pm

Specific Location of Event: Start + End @ Stevens Point Area Ymca → See attached maps

7.) Map of the Event Attached? Yes No Street Closures Required? Yes No

List of Street Blocks that will need to be closed: Complete shut down of Franklin St - re-opened after race ends

8.) Estimated Number of Participants: 400 Spectators: 100 Vehicles: — Animals: n/a

9.) Food Prepared/Served at event? Yes No *If yes, contact Portage County Health Dept. at 715-345-5350 and Fire Dept. at 715-344-1833*

10.) Will alcoholic beverages be served? Yes No *If yes, contact City Clerk's Office 715-346-1569*

11.) Will the event utilize any City Facilities? Yes No *Note: Park facilities handled by Parks Dept. 715-346-1531*

12.) Check which services are needed: Police Auxiliary Officer *Contact Police Dept. sspath@stevenspoint.com*

Please explain: Traffic control + road safety for participants

13.) Will any fireworks or other pyrotechnic devices be used during the event? Yes* No

*If yes, Please explain: _____

14.) Will tents as described below* or other temporary structures be erected? Yes* No

*If yes, you will need a permit from the Fire Department. Please contact them at 715-344-1833 and ask for the officer on duty.

*You will be erecting a tent or other temporary structure over 400 square feet or the aggregate area of smaller tents installed within 12 feet of each other is greater than 400 square feet. A tent is defined as a structure, enclosure, or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except air.

*You will be erecting a canopy over 700 square feet or the aggregate area of smaller canopies installed within 12 feet of each other is greater than 700 square feet. A canopy is defined as a tent that is open on all sides.

15.) Will smaller tents or other temporary structures be erected? Yes No

16.) Are Inflatables or Bounce Houses part of your event? Yes* No

*If yes, you must have a certificate of insurance on file. Contact the Treasurer's Office (715-346-1573) for more information.

APPLICATION CONTINUED ON THE BACK

17.) Briefly describe your Event (you may attach additional pages):

A family tradition in central Wisconsin! This road race + family fun walk offers sport + promotes physical activity + community wellness. A fun event for all ages + supports programming on educating youth about healthy nutrition + providing healthy snacks throughout the school year!

18.) Is any other special assistance from the City needed?

- Street closing signs
- No parking signs
- Traffic vests for volunteers
- Barricades to prevent traffic coming on closed road.

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

HOLD HARMLESS INDEMNIFICATION AND DEFENSE

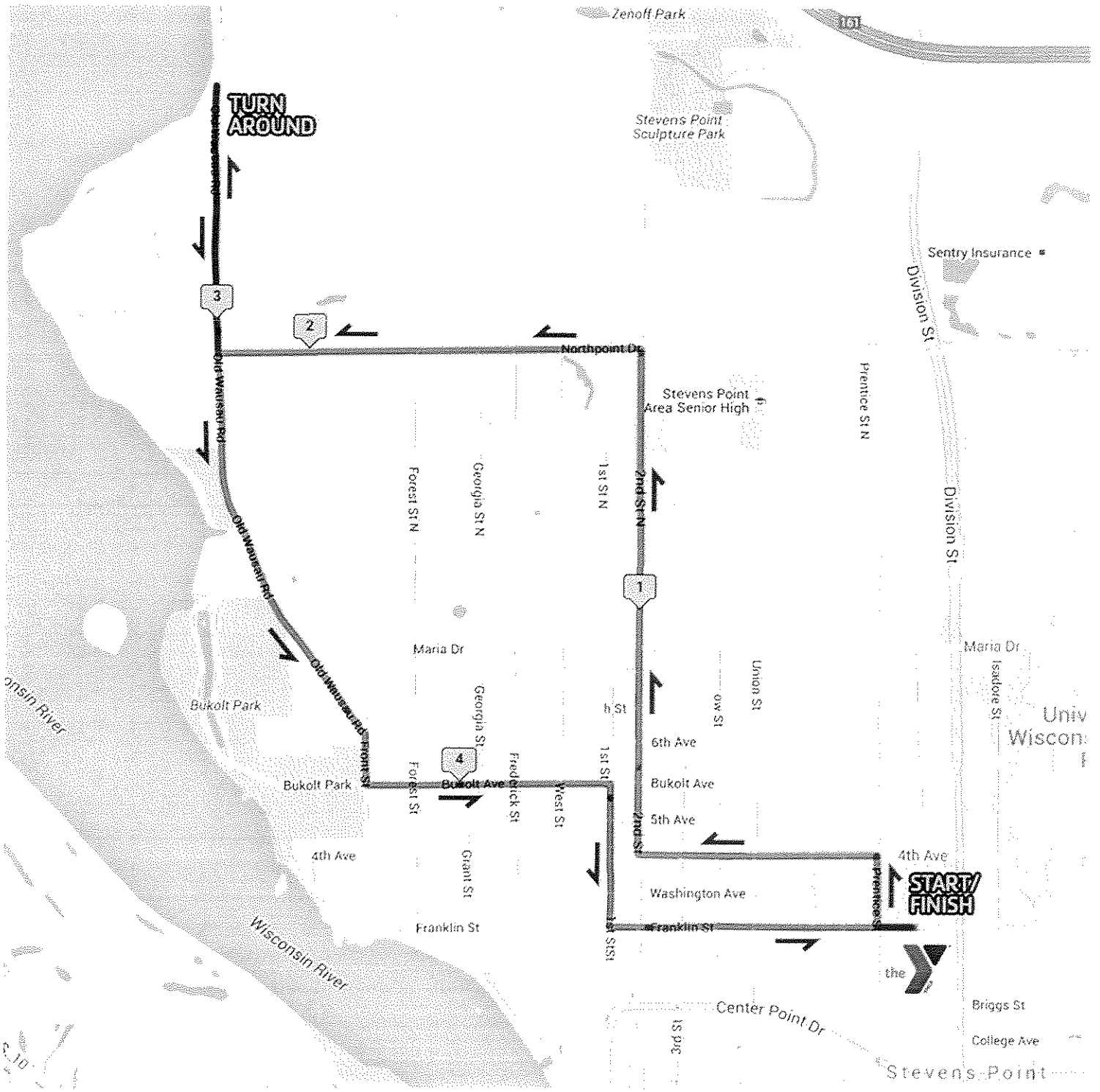
THE APPLICANT AND/OR THE ORGANIZATION AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF STEVENS POINT AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS FROM AND AGAINST ANY AND ALL LIABILITY, LOSS, DAMAGE, EXPENSES, COSTS, INCLUDING ATTORNEY FEES ARISING OUT OF THE ACTIVITIES PERFORMED AS DESCRIBED HERIN, CAUSED IN WHOLE OR IN PART BY ANY NEGLIGENT ACT OR OMISSION OF THE APPLICANT/ORGANIZATION, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY ANY OF THEM OR ANYONE WHOSE ACTS ON BEHALF OF THEM MAY BE LIABLE, EXCEPT WHERE CAUSED BY THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

Andrzej Nowicki
Signature of Applicant

8/16/19
Date

FROSTBITE 5 MILE MAP



**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT,
WISCONSIN**

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That subsection 24.56 of the Revised Municipal Code, Possession of Vapor Products by Minors, is hereby **amended** to read as follows:

24.56 (1) Statement of Purpose:

- (a) The purpose of this ordinance is to protect the public health, safety and welfare of the property and persons in the city by prohibiting persons under eighteen (18) years of age from possessing and vapor and non-tobacco smoking products, and prohibiting the sale of vapor products to persons under eighteen (18) years of age.
- (b) Persons under age eighteen (18) are prohibited by law from purchasing or possessing cigarettes and other tobacco products, and retailers are prohibited from selling them to minors. New tobacco-less products, however, commonly referred to as "electronic cigarettes," "e-cigarettes," "e-cigars," "e-cigarillos," "e-pipes," "e-hookahs," or "electronic nicotine delivery systems," allow the user to simulate cigarette smoking. These products may be purchased by minors and are being marketed without age restrictions or health warnings and come in different flavors that appeal to young people.
- (c) E-cigarettes, and similar devices, are a relatively new nicotine delivery system. While devices vary in their appearance and specific method of operation, they have several basic elements in common. A solution of water, dissolved nicotine, and other ingredients (usually flavoring) is heated with a heating element (usually battery-powered). This vaporizes the nicotine solution, which passes into a mouthpiece and is inhaled in a manner similar to cigarette smoking. Often, glycerol or propylene glycol is added to the solution to give the appearance of smoke when the solution is vaporized. The concentration of nicotine contained in the solution can be customized by the retailer to the buyer's specifications, and many manufacturers make nicotine-free solutions.
- (d) The production and distribution of e-cigarettes is not currently regulated by federal or state authorities, and the U.S. Food and Drug Administration has not completed testing of these products. However, initial studies by the FDA have determined that e-cigarettes can increase nicotine addiction among young people and contain chemical ingredients known to be harmful, which may expose users and the public to potential health risks.
- (e) The use of e-cigarettes and similar devices has increased significantly in

recent years.

- (f) Existing studies on electronic smoking devices' vapor emissions and cartridge contents have found a number of dangerous substances including:
- Chemicals known to cause cancer such as formaldehyde, acetaldehyde, lead, nickel and chromium;
 - PM 2.5, acrolein, tin, toluene, and aluminum, which are associated with a range of negative health effects such as skin, eye, and respiratory irritation, neurological effects, damage to reproductive systems, and even premature death from heart attacks and stroke.
- (g) Some cartridges used by electronic smoking devices can be refilled with liquid nicotine solution, creating the potential for exposure to dangerous concentrations of nicotine.
- (h) Clinical studies about the safety and efficacy of these products have not been submitted to the FDA for the over four hundred (400) brands of electronic smoking devices that are on the market and for this reason, consumers have no way of knowing whether electronic smoking devices are safe, what types of potentially harmful chemicals the products contain, and what dose of nicotine the products deliver.
- (i) Electronic smoking devices often mimic conventional tobacco products in shape, size, and color, with the user exhaling a smoke-like vapor similar in appearance to the exhaled smoke from cigarettes and other conventional tobacco products.
- (j) The use of electronic smoking devices in smoke-free locations threatens to undermine compliance with smoking regulations and reverses the progress that has been made in establishing a social norm that smoking is not permitted in public places and places of employment.
- (k) Non-tobacco smoking products, including but not limited to cigarettes made from industrial hemp, are also significant health hazards due to their intended use involving the inhalation of combustion products of plant material, which contains numerous known toxins and carcinogens.
- (l) It is the intent of the Common Council, in enacting the ordinance codified in this section, to provide for the public health, safety and welfare by facilitating uniform and consistent enforcement of smoke-free air laws; by reducing the potential for re-normalizing smoking in public places and places of employment; by reducing the potential for children to associate the use of electronic smoking devices and non-tobacco smoking products with a normative or healthy lifestyle; and by prohibiting the sale or distribution of electronic smoking devices and non-tobacco smoking products to minors.
- (m) Therefore, the Stevens Point Common Council determines that

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prohibiting the sale, giving, or furnishing of vapor products and non-tobacco smoking products to minors and prohibiting the purchase, possession, or use of vapor products and non-tobacco smoking products by minors is in the City's best interest and will promote public health, safety, and welfare.

(2) Definitions

(a) "Minor" means an individual who is less than eighteen (18) years of age.

~~(b)~~ "Non-tobacco smoking product" means any product not containing tobacco which is designed to be ignited and the combustion products inhaled, including but not limited to industrial hemp cigarettes and loose industrial hemp packaged and marketed for smoking.

~~(b)~~~~(c)~~ "Person who sells vapor products at retail" means a person whose ordinary course of business consists, in whole or in part, of the retail sale of vapor products.

~~(c)~~~~(d)~~ "Public place" means a public street, sidewalk, or park or any area open to the general public in a publically owned or operated building or premises, or in a public place of business or school.

~~(d)~~~~(e)~~ "Use of a vapor product or non-tobacco smoking product" means to suck, inhale, ignite, or otherwise consume a vapor product or non-tobacco smoking product.

~~(e)~~~~(f)~~ "Vapor product" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device shall include any component part of such a product whether or not sold separately. Electronic delivery device shall not include any product that has been approved or otherwise certified by the United States Food and Drug Administration for legal sales for use in tobacco cessation treatment or other medical purposes, and is being marketed and sold solely for that approved purpose.

(3) Prohibited Conduct

- (a) Consistent with Wis. Stat. 254.92, a minor shall not do any of the following:
- I. Purchase or attempt to purchase a vapor product or non-tobacco smoking product.
 - II. Possess or attempt to possess a vapor product or non-tobacco smoking product.
 - III. Use a vapor product or non-tobacco smoking product in a public place.

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- IV. Present or offer to an individual a purported proof of age that is false, fraudulent, or not actually his or her own proof of age for the purpose of purchasing, attempting to purchase, possessing, or attempting to possess a vapor product or non-tobacco smoking product.
- (b) No individual, regardless of age, who is enrolled in secondary school may possess or attempt to possess a tobacco product non-tobacco smoking product, or vapor product while on school property.
- (c) An individual who violates subsection (3)(a) shall be subject to the penalties listed in the juvenile bond schedule.
- (d) An individual who violates subsection (3)(b) shall be subject to the following penalties:
 - I. For the first violation, the person is responsible for a civil infraction punishable by a forfeiture of fifty dollars (\$50.00).
 - II. For a second and subsequent violation, the person is responsible for a civil infraction punishable by a forfeiture of seventy-five dollars (\$75.00).

(4) Exception

- (a) Subsection (3) does not apply to a minor participating in any of the following: (a) An undercover operation in which the minor purchases or receives a vapor product or non-tobacco smoking product under the direction of the minor's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action. (b) An undercover operation in which the minor purchases or receives a vapor product or non-tobacco smoking product under the direction of the state police or a local police agency as part of an enforcement action, unless the initial or contemporaneous purchase or receipt of the vapor product or non-tobacco smoking product by the minor was not under the direction of the state police or the local police agency and was not part of the undercover operation
- (b) Subsection (3) does not apply to the handling or transportation of a vapor product or non-tobacco smoking product by a minor under the terms of that minor's employment.

(5) Furnishing to Minors

Consistent with Wis. Stat. 134.66:

- (a) A person shall not sell, give or furnish any vapor product or non-tobacco smoking product to a minor, including, but not limited to, through a vending machine. A person who violates this subsection is subject to a fine of not more than one hundred dollars (\$100.00) for each violation.
- (b) Subsection (a) of this section does not apply to the handling or

transportation of a tobacco product, non-tobacco smoking product, or vapor product by a minor under the terms of the minor's employment.

- (c) Before selling, offering for sale, giving, or furnishing a vapor product or non-tobacco smoking product to an individual, a person shall verify that the individual is at least eighteen (18) years of age by doing one (1) of the following: (a) Examining a government-issued photographic identification that establishes that the individual is at least eighteen (18) years of age; ~~or~~ (b) For sales made by the internet or other remote sales method, performing an age verification through an independent, third-party age verification service that compares information available from a commercially available database, or aggregate of databases, that are regularly used by government agencies and businesses for the purpose of age and identity verification to the personal information entered by the individual during the ordering process that establishes that the individual is eighteen (18) years of age or older.

APPROVED: _____
Mike Wiza, Mayor

ATTEST: _____
Paul Piotrowski, City Clerk

Dated: September 3, 2019
Approved: September 16, 2019
Published: September 20, 2019

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT,
WISCONSIN**

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That Subsection 9.05(l)(1)v of the Revised Municipal Code, Overnight Parking by Permit, is hereby **amended** to read as follows:

- v) Alternate Side Night Parking.
1. Overnight parking is authorized on alternate sides of the street.
 2. On odd-numbered days, vehicles shall only be parked, stopped or left standing on that side of the street having odd-numbered addresses (south & east). On even-numbered days, vehicles shall only be parked, stopped or left standing on that side of the street having even-numbered addresses (north & west). Where parking is normally permitted only on one side of the street, vehicles may park overnight on both odd and even-numbered days, except during snow emergencies.
 3. The provisions of this section shall not supersede more restrictive parking regulations such as no parking zones, etc. in effect in the city.
 4. Overnight parking is not authorized between 2:30 and 6:30 am in the Downtown Area, bounded on the north by Centerpoint Drive, on the south by Clark Street, on the west by Water Street and on the east by Rogers Street.

SECTION II: This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: _____
Mike Wiza, Mayor

ATTEST: _____
Paul Piotrowski, City Clerk

Dated: September 4, 2019
Approved: September 16, 2019
Published: September 20, 2019