



**City of Racine, Wisconsin  
Common Council**

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE:** For Referral to Public Safety and Licensing Committee  
**LEGISLATION ITEM:** Ordinance 0005-25

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**AGENDA DATE:** May 9, 2025

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**DEPARTMENT:** City Attorney's Office

**Drafted By:** Assistant City Attorney Nhu H. Arn

**Reviewed By:** City Attorney Scott R. Letteney

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**SUBJECT:** Ordinance 005-25 – Cigarette, electronic vaping devices, and tobacco products retailers.

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**EXECUTIVE SUMMARY:**

The enactment of this ordinance would route all applications for a cigarette, electronic vaping devices, and tobacco products retailer's license through the public safety and licensing committee and common council for approval. It would also update the ordinance and bring it in conformity with Wis. Stat. §§ 134.65 and 134.66.

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**BACKGROUND & ANALYSIS:**

City ordinance currently permits the City Clerk to issue a cigarette, electronic vaping device, and tobacco products retailer's license to any person who is qualified under Wis. Stat. § 134.65, without requiring Common Council approval. The enactment of this ordinance would effectively require all such license applications to be routed through the Public Safety and Licensing Committee for its recommendation and subsequently to the Common Council for its final decision. This process would apply both to new and renewal applications every year, similarly to how the City Clerk's Office currently handles alcohol beverage license renewals in June of every year. Renewal applications would be due by April 15th of every year and may be approved in bulk under one agenda item, unless pulled out for separate consideration.

This ordinance amendment also codifies changes made to cigarette, electronic vaping devices, and tobacco products retailer's licenses pursuant to 2023 Wisconsin Act 73. Prior to Act 73, retailer's licenses were only required for the sale of cigarettes and tobacco products. Effective March 6, 2024, any person wishing to sell electronic vaping devices would also need to obtain a municipal license, by using the now combined license application for cigarettes, electronic vaping devices, and tobacco products retailers. As such, the language and statutory references in chapter 22, article IX of the ordinance – Cigarettes and Tobacco Products Retailers, have also been changed accordingly.

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**BUDGETARY IMPACT:** N/A

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**OPTIONS/ALTERNATIVES:** Reject the ordinance as proposed or amend the proposal.

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**ACTION RECOMMENDED:** This is a policy decision to be made by the Common Council.

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**ATTACHMENT(S):** Ordinance 005-25 – Cigarettes, electronic vaping devices and tobacco products retailers.