

**AN ORDINANCE PROHIBITING THE POSSESSION OF CIGARETTES  
AND TOBACCO PRODUCTS IN THE COUNTY JAIL BY CERTAIN PERSONS**

Ordinance No. 011-1994-18

The County Board of Supervisors of the County of Ashland does ordain as follows:

Ordinance No. 09-1994-17 prohibiting the possession of cigarettes and tobacco products in the County Jail by certain persons which was adopted by this Board on September 27, 1994 is hereby repealed in its entirety and is replaced by this ordinance.

Section 1.

It is unlawful and a violation of this ordinance for any person who is confined in, a resident of, or an inmate of the Ashland County Jail to possess, buy, sell, transfer, deliver, conceal, smoke, chew, or use any cigarette or any tobacco product inside the Ashland County Jail building located in Ashland County, Wisconsin.

Section 1 of this ordinance applies to the Ashland County Jail building where it is presently located and also to the Ashland County Jail building if it is ever relocated in the future.

Section 2.

It is unlawful and a violation of this ordinance for any person, whether they be located in the Ashland County Jail or not, to intentionally aid and abet any other person in violating Section 1 of this ordinance or for any person to conspire with another to commit a violation of Section 1 of this ordinance. The provisions of §939.05(2) Wisconsin Statutes relating to intentionally aiding and abetting and conspiracy are incorporated herein by reference as applicable to conduct in regard to this ordinance.

Definitions:

The term "cigarette" as used herein has the meaning given in §139.30(1) Wisconsin Statutes. The term "tobacco product" as used herein has the meaning given in §139.75(12) Wisconsin Statutes.

Penalty:

The penalty for a violation of this ordinance shall be as follows:

1. For a first offense of violating Section 1, a person

shall forfeit \$25.00 plus all applicable court costs, assessments, fees and other charges;

2. For a first offense of violating Section 2, a person shall forfeit \$100.00 plus all applicable court costs, assessments, fees and other charges;

3. For a second and any subsequent offense of violating Section 1, a person shall forfeit \$75.00 plus all applicable court costs, assessments, fees and other charges; and

4. For a second and any subsequent offense of violating Section 2, a person shall forfeit \$200.00 plus all applicable court costs, assessments, fees and other charges.

All sections of Wisconsin Statutes which are referred to herein are hereby incorporated herein by reference as though fully set forth herein. Any future amendments, revisions or modifications of sections of Wisconsin Statutes referred to herein are hereby incorporated herein by reference as through full set forth herein.

The County Clerk of Ashland County is directed to publish this ordinance as a Class 1 notice under Chapter 985 Wisconsin Statutes. This ordinance shall be effective upon its publication.

Dated at the City of Ashland, Wisconsin this 15th day of November, 1994.

Alvin Zach

Ed Marten

Ed Fraser

Helen Croteau

Anne Nelson

Evelyn Horwell

Caroline Sanden

Joseph Nemes