

VILLAGE OF WARRENSBURG, ILLINOIS

ORDINANCE NO. 731

**AN ORDINANCE AMENDING TITLE 8,
ENTITLED "HEALTH AND SANITATION",
BY ADDING CHAPTER 8,
ENTITLED "PROHIBITION OF TOBACCO USE
AND ALTERNATIVE NICOTINE PRODUCT USE BY MINORS"**

**ADOPTED BY THE
BOARD OF TRUSTEES
OF THE VILLAGE OF WARRENSBURG**

this 4th DAY OF SEPTEMBER, 2018

**Published in pamphlet form by authority of the Board of Trustees of
the Village of Warrensburg, Macon County, Illinois,
this 4th day of September, 2018**

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AND ALTERNATIVE NICOTINE PRODUCT USE BY MINORS"**

Section 1. That Title 8 Entitled "Health and Sanitation" of the Warrensburg Village Code be and the same is hereby amended by adding Chapter 8, entitled "Prohibition of Tobacco Use and Alternative Nicotine Products Use by Minors" to read as follows:

SECTION:

- 8-8-1 Definitions
- 8-8-2 Purchase Prohibited
- 8-8-3 Possession Prohibited
- 8-8-4 Penalties

8-8-1 Definitions

ALTERNATIVE NICOTINE PRODUCT: "Alternative nicotine product" means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. "Alternative nicotine product" excludes cigarettes, smokeless tobacco, or other tobacco products as these terms are defined in this Section and any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

SMOKELESS TOBACCO: "Smokeless tobacco: means any tobacco products that are suitable for dipping or chewing.

TOBACCO PRODUCT: "Tobacco product" means any cigar, cigarette, smokeless tobacco, or tobacco in any of its forms.

8-8-2 PURCHASE PROHIBITED: No minor under eighteen (18) years of age shall purchase any tobacco product or alternative nicotine product.

8-8-3 POSSESSION PROHIBITED: No minor under eighteen (18) years of age shall possess any cigar, cigarette, smokeless tobacco, tobacco in any of its forms, or alternative nicotine product.

8-8-4: PENALTIES:

(A) Issuance of Citation: An officer or employee of the Village or any person or persons designated by the President and Board of Trustees of the Village may issue an ordinance violation citation to any person or persons accused of violating any one or more of the Sections of this Code. Said citation shall show the name and address of the accused offender and the date, time, and location of the offense on a form as approved from time to time by the President and Board of Trustees. The citation shall further designate the Code section provided and shall include the issue or signature and date of issuance. Nothing in this Section shall be construed to require the issuance of any citation for any alleged offense.

(B) Settlement: Any alleged offender who receives such a citation for a first offense may settle and compromise the claim against him or her for such alleged offense by paying the Village the sum of one hundred twenty dollars (\$120.00) within fourteen (14) days of the date such citation was dated and received by the alleged offender. The Village Hall is designated as the place for such payment.

(C) Repeat Offense: In the event any alleged offender receives a citation accusing the alleged offender of any violation listed in this Section and having received a prior ordinance violation citation for violation of either Section 8-8-2 or Section 8-8-3 within the period of twelve (12) months, the alleged offender may settle and compromise the second citation by paying the Village the sum of one hundred seventy dollars (\$170.00) within fourteen (14) days of the date such citation was dated and received by the alleged offender.

(D) Failure To Pay: In the event the alleged offender who receives any citation fails to pay the sum as required above within fourteen (14) days, the Village may elect to institute a prosecution for the alleged offense involved.

Section 2. SAVINGS CLAUSE: If any part of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions thereof.

Section 3. EFFECTIVE DATE:

This Ordinance shall be in full force and effect on September 4, 2018. The Village Clerk of Warrensburg shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form and this Ordinance shall take effect upon its approval and publication in pamphlet form as so certified.

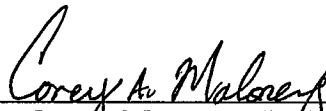
TRUSTEES:

Ray Ewing	Aye - <u>X</u> Nay - ___ Absent - ___
Douglas Fisher	Aye - <u>X</u> Nay - ___ Absent - ___
Frank Musick	Aye - ___ Nay - ___ Absent - <u>X</u>
Karen Musick	Aye - <u>X</u> Nay - ___ Absent - ___
Leland Hackl	Aye - <u>X</u> Nay - ___ Absent - ___
John Oakley	Aye - <u>X</u> Nay - ___ Absent - ___
Corey Maloney	Aye - ___ Nay - ___ Absent - ___

PRESENTED, PASSED and APPROVED this 4th day of September, 2018.



RECORDED this 4th day of September, 2018.

APPROVED:



President of the Board of Trustees
of the Village of Warrensburg, IL

ATTEST:

Village Administrative Clerk
of Warrensburg, Illinois

STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

CERTIFICATE

I, SHERRIE D. BROWN, certify that I am the duly appointed Village Administrative Clerk of the Village of Warrensburg, Macon County, Illinois.

I further certify that on the 4th day of September, 2018 the President and Board of Trustees of the Village of Warrensburg passed and approved Ordinance No. 731, entitled “An Ordinance Amending Title 8, Entitled Health and Sanitation, By Adding Chapter 8, Entitled Prohibition of Tobacco Use And Alternative Nicotine Product Use by Minors”, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 731, including Ordinance and cover sheet thereof was prepared, a copy of such Ordinance was posted in the Warrensburg Village Hall, the Warrensburg Public Library, and Warrensburg Post Office, commencing September 5, 2018, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Administrative Clerk.

DATED at Warrensburg, Illinois this 5th day of September, 2018.



Village Administrative Clerk of the
Village of Warrensburg, Illinois