

ORDINANCE 1111

AN ORDINANCE TO REGULATE THE SALE OF TOBACCO PRODUCTS AND/OR TOBACCO ACCESSORIES TO MINORS IN THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS:

SECTION ONE: (a) The following definitions shall apply to the provisions of the Sections to follow:

- a. "Minor" means any person under the age of eighteen years;
- b. "Smokeless Tobacco" means any finely cut, ground, powdered, or leaf tobacco that is intended to be placed in the oral cavity.
- c. "Tobacco Accessories" means cigarette papers, pipes, holders of smoking materials of all types, designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under any statute or of substances whose sale, gift, barter, or exchange is made unlawful under this ordinance.
- d. "Tobacco Products" means cigarettes, cigars, smokeless tobacco, or tobacco in any of its form.

SECTION TWO: Sale of Tobacco Products and/or Tobacco Accessories to minors:

- (a) No minor under 18 years of age shall buy any tobacco product or tobacco accessory.
- (b) No person shall sell, buy for, distribute samples of or furnish any tobacco products or tobacco accessories to any minor under the age of 18.

SECTION THREE: Possession of Tobacco Products and/or Tobacco Accessories by minors:

- (a) It shall be unlawful for any minor under the age of 18 to possess any tobacco product or tobacco accessory. Any minor found to be in possession of any tobacco products or tobacco accessories shall be subject to having such items removed from their possession by any law enforcement officer who has become aware of the possession of such items.

SECTION FOUR: Use of Identification Cards by minors:

- (a) No minor under the age of 18 in the furtherance or facilitation of obtaining tobacco products or tobacco shall display or use false or forged identification card or

transfer, alter, or deface an identification card.

SECTION FIVE: Warning to minors:

(a) Any person, firm, partnership, company, or corporation operating a place of business where tobacco products and/or tobacco accessories are sold or offered for sale shall post in a conspicuous place upon the premises a sign upon which there shall be imprinted the following statement: "SALE OF TOBACCO PRODUCTS OR TOBACCO ACCESSORIES TO PERSONS UNDER THE AGE OF EIGHTEEN (18) YEARS OF AGE OR THE MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW."

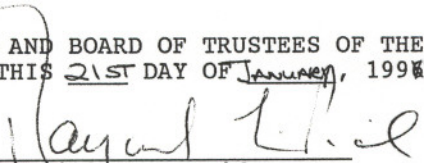
SECTION SIX: Penalties:

(a) Any person convicted of any violation of this ordinance under Section 2(a), Section 3(a), or Section 4(a) shall be fined \$60.00 for the first violation in any 12-month period; \$75.00 for a second violation in any 12-month period; and \$100.00 for a third or subsequent violation in any 12-month period.

(b) Any person convicted of any violation of this ordinance under Section 2(b) shall be fined \$75.00 for the first violation in any 12-month period; \$100.00 for a second violation in any 12-month period; and \$200.00 for a third or subsequent violation in any 12-month period.

SECTION SEVEN: That after receipt of a complaint regarding the alleged violation of this Ordinance, the person so cited may settle the violation by making a payment of \$25.00 to the Village of Peoria Heights Police Department for each violation of this Ordinance at least Seven (7) calendar days prior to the Court appearance date so indicated on such complaint. Such settlement option shall not apply to the second and subsequent violation within any Twelve (12) month period.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS THIS 21ST DAY OF January, 1992



Village President

SEAL

ATTEST: 

Village Clerk