

CHAPTER 3

TOBACCO PRODUCTS

SECTION:

- 5-3-1: Definitions
 5-3-2: Minors
 5-3-3: Smoking in Public Building Prohibited
 5-3-4: Violation; Penalty

5-3-1: **DEFINITIONS:** The following definitions shall apply to the interpretation and enforcement of this Chapter:

- POSSESSION:** To have upon one's person or to have in close physical proximity.
- TOBACCO PRODUCTS:** Cigarettes, cigars, any smokeless tobacco for dipping or chewing, or tobacco in any form.
- VILLAGE BUILDING:** Any structure built for the support, shelter, or enclosure of persons, animals, chattel or property of any kind and which is permanently affixed to the ground and which is owned or maintained by the Village. (Ord. 98-6-1, 4-14-1998)

5-3-2: **MINORS:**

- A. Sales To: It shall be unlawful for any person, whether selling individually or as an owner, officer, employee or agent of or on behalf of any person, firm or corporation to see, buy for, distribute samples, or furnish, exchange or give away any tobacco product in any form to any individual under the age of eighteen (18) years.
- B. Possession By: No individual under eighteen (18) years of age shall have in his or her possession any tobacco product in any of its forms. It shall not be a violation of this Section for any such person to have in his or her possession any tobacco products while in the presence of his or her parents or legal guardian or in the performance of a religious ceremony or while participating in any theatrical performance where possession of a tobacco product is necessary.

C. Use and Possession on Public Property:

1. The use or consumption of tobacco products by minors upon any public sidewalks, public thoroughfares, public streets, public highways, public parks, or any property of a public school or any other public areas with the Village limits is hereby prohibited.
2. The possession of any tobacco products by minors while upon any public sidewalks, public thoroughfares, public streets, public highways, public parks, or any property of a public school or any other public areas within the Village is hereby prohibited. (Ord. 98-6-1, 4-14-1998)

5-3-3: **SMOKING IN PUBLIC BUILDINGS PROHIBITED:** It is unlawful for anyone to smoke in buildings that are owned by the Village. (Ord. 98-4-14, 4-14-1998)

5-3-4 **VIOLATION; PENALTY:** A violation of any provision of this Chapter is a petty offense and shall be punishable as provided in Section 1-4-1 of this Code. (2002 Code)