

ORDINANCE NO. G-1162

AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY, AND WELFARE, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS BY AMENDING CHAPTER 220 OFFENSES; ARTICLE VIII: OFFENSES AGAINST THE PUBLIC PEACE; SECTION 220.742; CIGARETTE AND TOBACCO PRODUCTS; UNLAWFUL ACTS.

WHEREAS, State law has previously amended its statutes to include electronic cigarettes as products prohibited from being possessed by minors.

WHEREAS, Junction City recognizes the importance of protecting the health and well-being of its minors and regulating their possession of cigarette and tobacco products.

WHEREAS, Junction City will be able to enforce and hold those persons accountable for being in possession of not only cigarettes and tobacco, but also electronic/vapor cigarettes.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. SECTION 220.742 is amended to read as follows:

SECTION 220.742: - CIGARETTES AND TOBACCO PRODUCTS; UNLAWFUL ACTS

It shall be unlawful for any person:

- (a) To sell, furnish or distribute cigarettes, electronic/vapor cigarettes or tobacco products to any person under eighteen (18) years of age.
- (b) Who is under eighteen (18) years of age to purchase or attempt to purchase cigarettes, electronic or vapor cigarettes, or tobacco products.
- (c) Who is under eighteen (18) years of age to possess or attempt to possess cigarettes, electronic/vapor cigarettes or tobacco products.
- (d) It shall be a defense to a prosecution under subsection (a) above if: The defendant sold, furnished or distributed the cigarettes, electronic/vapor cigarettes or tobacco products to the person under eighteen (18) years of age with reasonable cause to believe the person was of legal age to purchase or receive cigarettes, electronic/vapor cigarettes or tobacco products.

Penalty. A violation of subsection (a) above is a class B misdemeanor punishable by a minimum fine of two hundred dollars (\$200.00). A violation of subsection (b) or (c) above is a cigarette, electronic/vapor cigarette or tobacco infraction for which the fine is twenty-five dollars (\$25.00) for the first offense, and an

additional twenty-five dollars (\$25.00) for each subsequent offense up to a maximum of five hundred dollars (\$500.00). Should the five hundred dollar (\$500.00) maximum be reached, each additional offense shall be fined at five hundred dollars (\$500.00) per occurrence. In addition to any fines imposed by this subsection, the judge may require the juvenile to appear in court with a parent or legal guardian. Any agent, employees or others who aid, abet or otherwise participate in any way in the violation of subsection (a) above shall be guilty of and punished as principals violating this ordinance.

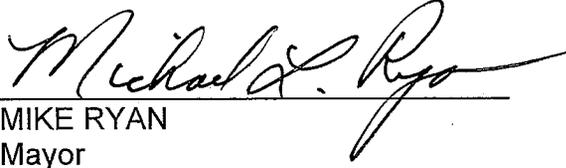
Section 2. This ordinance shall become effective upon publication in the Junction City Daily Union as required by law.

PASSED AND ADOPTED THIS 18th DAY OF NOVEMBER, 2014.



ATTEST:


Tyler Ficken
City Clerk


MIKE RYAN
Mayor