

ORDINANCE Number: 24-06-038

Committee: Judiciary and Annexation

AN ORDINANCE BANNING THE PURCHASE, POSSESSING, OR CONSUMING TOBACCO PRODUCTS INCLUDING ALTERNATIVE NICOTINE PRODUCTS, ELECTRONIC SMOKING DEVICES AND CORRESPONDING VAPOR PRODUCTS IN THE CITY OF VAN WERT

Now comes the council for the City of Van Wert, Ohio, after a duly appointed meeting of said council, and hereby makes the following ordinance.

WHEREAS Ohio Revised Code Section 2151.87 expressly prohibits individuals under twenty-one years of age from using, consuming, or possessing tobacco products. Finding, however, the Ohio Revised Code fails to include an offense or corresponding penalty for said conduct, it is the desire of the council to exercise its legislative authority to provide for the same.

WHEREFORE,

Any person found in violation of this section shall be guilty of a misdemeanor of the fourth degree, punishable by up to thirty days in jail and a \$250 fine.

Further Any person found in violation of this section shall be guilty of a misdemeanor of the fourth degree, punishable by up to thirty days in jail and a \$250 fine.

Be it **ORDAINED** by the Council of the City of Van Wert, Van Wert County, Ohio, with the majority of all the members concurring, to wit:

Section 1. That the within the City of Van Wert it shall be unlawful for any individual under twenty-one years of age to use, consume, or possess any tobacco product or alternative nicotine product – including electronic smoking devices and corresponding vapor products, as each of those term is defined in Section 2927.02 of the Ohio Revised Code.

Section 2. If any provision of this ordinance or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the provision or related provisions which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Passed this _____ day of June, 2024.

Thad R. Eikenbary, President of Council

Attest: _____
Stephanie R. Phillips, Clerk of Council

Kenneth J. Markward, Mayor