**ORDINANCE NO. \_\_\_\_\_\_\_**

**ORDINANCE AMENDING THE CITY OF LEBANON MUNICIPAL CODE, CHAPTER 24 – OFFENSES AND NUISANCES, ADDING ARTICLE VII – POSSESSION OR USE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS BY PERSON UNDER TWENTY-ONE (21) YEARS OF AGE PROHIBITED**

**WHEREAS,** the City of Lebanon, St. Clair County, Illinois (hereinafter "City"), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes); and

**WHEREAS,** City has determined the current City Code needs to be amended to include the addition of laws against the possession and/or consumption of nicotine products by persons under twenty-one (21) years of age; and

**WHEREAS**, City has determined possession and/or consumption of nicotine products by persons under twenty-one (21) years of age is a health and safety risk for the City and the City residents; and

**WHEREAS**, City has determined it would be in the best interests of public health, safety, general welfare, and economic welfare to amend the City Code to prohibit the possession and/or consumption of nicotine products by persons under twenty-one (21) years of age; and

**WHEREAS**, City authorizes and directs the Mayor to execute any documents necessary to amend the City Code as stated herein.

**NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Lebanon, Illinois, as follows:**

*Section 1.* The foregoing recitals are incorporated herein as findings of the City Council of the City of Lebanon, Illinois.

*Section 2.* City Code shall be amended as follows:

Chapter 24 – Offenses and Nuisances

Article VII - Possession or Consumption of tobacco products and alternative nicotine products by person under twenty-one (21) years of age prohibited.

Section 24 – 152 - Possession or Consumption of tobacco products and alternative nicotine products by person under twenty-one (21) years of age prohibited.

1. No person under twenty-one (21) years of age shall possess any cigar, cigarette, smokeless tobacco, or tobacco in any of its forms. For the purpose of this section, smokeless tobacco means any tobacco products that are suitable for dipping or chewing.
2. No person under twenty-one (21) years of age shall possess any alternative nicotine product(s). "Alternative nicotine product(s)" shall mean any product or device that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means.
3. Penalties. Any violation of this section shall be an Ordinance Violation and subject to a fine as prescribed in City Code Section 1-14, and the offender may be fined as much as $750 per violation.

*Section 3*. The Mayor is directed and authorized, on behalf of the City of Lebanon, to execute any documents necessary to give effect to this Ordinance.

*Section 4*. Any City Ordinance or City Code in conflict with this Ordinance is hereby repealed and replaced by the Ordinance stated herein.

*Section 5.* This Ordinance shall be known as Ordinance No. \_\_\_\_\_and shall be effective upon its passage and approval in accordance with Illinois law.

Passed by the City Council of the City of Lebanon, Illinois, and deposited and filed in the Office of the City Clerk, on the \_\_\_\_day of \_\_\_\_\_\_\_\_ 2024, the vote being taken by ayes and noes, and entered upon the legislative records, as follows:

AYES:

NOES:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Charles Witty – Mayor Pro Tem

Mayor

City of Lebanon

St. Clair County, Illinois

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Luanne Holper

City Clerk

City of Lebanon

St. Clair County, Illinois