

PROPOSED ORDINANCE NO. 697

AN ORDINANCE TO AMEND CHAPTER 38 OF THE RIVERVIEW CODE “OFFENSES AND MISCELLANEOUS PROVISIONS”, BY ADDING SECTION 38-380 “TOBACCO”, TO DIVISION 1 “GENERALLY”, ARTICLE IX, “MINORS”, TO PROHIBIT THE POSSESSION, CARRYING OR USE OF TOBACCO AND TOBACCO PRODUCTS BY A MINOR UNDER THE AGE OF EIGHTEEN (18) YEARS OF AGE.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Adoption: That Section 38-380, Tobacco, be added to hereafter read as follows:

CHAPTER 38 OFFENSES AND MISCELLANEOUS PROVISIONS
ARTICLE IX. MINORS
DIVISION 1 GENERALLY

Section 38-380. - Tobacco.

- (a) For purposes of this section the term “minor” means a person who is less than eighteen (18) years or age.
- (b) In this section the term “tobacco” means cigars, cigarettes, chewing tobacco and any and all other forms of tobacco products.
- (c) A minor shall not purchase or attempt to purchase, possess or carry on his or her person tobacco or any form of tobacco product.
- (d) A minor who violates this sub-section is responsible for a municipal civil infraction, subject to a municipal infraction penalty as defined at section 1-8.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a different penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentence, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on September 18, 2017 shall be given a second reading on _____, 2017, shall be adopted on _____, 2017 and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this _____, 2017.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on _____, 2017.

Cynthia M. Hutchison, City Clerk