

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON TITLE II: PUBLIC HEALTH, SAFETY & WELFARE; CHAPTER 220: OFFENSES; SECTION 220.240: SALE, PURCHASE, POSSESSION OR DISTRIBUTION OF TOBACCO PRODUCTS TO BE IN COMPLIANCE WITH STATE STATUES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON, MISSOURI, AS FOLLOWS:

Section 1: That Section 220.240 of the Camdenton City Code is hereby amended as follows:

SECTION 220.240: SALE, PURCHASE, POSSESION OR DISTRIBUTION OF TOBACCO PRODUCTS

A. **Definitions:** As used in this Section the following terms mean:

**TOBACCO PRODUCTS** – Any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.

**VAPOR PRODUCTS** – Any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

- B. **Sale Of Tobacco or Vapor Products To Minors.** It shall be a violation of this Section for any retailer to sell tobacco products (including but not limited to cigarettes, cigars, pipe tobacco and smokeless tobacco) or **vapor products** to persons under the age of eighteen (18) years.
- C. **Purchase Or Possession Of Tobacco or Vapor Products By Minors.** It shall be a violation of this Section for any persons under the age of eighteen (18) years to purchase, attempt to purchase, or to have in their possession any tobacco product (including but not limited to cigarettes, cigars, pipe tobacco and smokeless tobacco) or **vapor products**.
- D. **Other Distribution Of Tobacco or Vapor Products.** No person shall sell, give or otherwise distribute any tobacco product (including but not limited to cigarettes, cigars, pipe tobacco and smokeless tobacco) or **vapor products** to any person under the age of eighteen (18) years. This Subsection shall not apply to the distribution by persons to minors who are immediate family members on property that is not open to the public.
- E. **Evidence Of Age To Be Required.** A person selling tobacco or **vapor** products or rolling papers or distributing tobacco or **vapor** product samples shall require proof of age from a prospective purchaser or recipient if any ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of eighteen (18) years. Reasonable reliance on proof of age or on the

appearance of the purchaser or recipient shall be defense to any action for a violation of this Section.

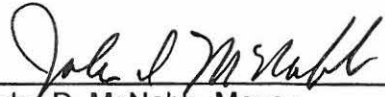
- F. *Employee Liability.* If a sale is made by any employee of the owner of an establishment in violation of this Section, the employee shall be guilty of an offense established in Subsection (B) of this Section. If a sample is distributed by an employee of a company conducting the sampling, such employee shall be guilty of an offense under this Section.

Section 2. This Ordinance shall be in full force and effect after its approval by the Board of Aldermen and approval by the Mayor.

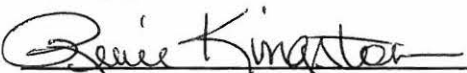
Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Read the first time this 3 day of March, 2015

Read the second time and passed and approved this 3 day of March, 2015.

  
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John D. McNabb, Mayor

ATTEST:

  
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Renée Kingston, City Clerk, MRCC

