

DEFEATED 2-1-2021

ORDINANCE NO.1487

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 9 PUBLIC PEACE, MORALS & WELFARE, CHAPTER 9.56.010 UNLAWFUL ACTS BY CHANGING THE AGE TO PURCHASE OR POSSESS TOBACCO PRODUCTS OR ELECTRONIC SMOKING PRODUCTS TO TWENTY-ONE (21) AND ADDING ELECTRONIC DEVICES AND PRODUCTS IN CODE; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

BE IT ORDAINED BY THE PAYETTE CITY COUNCIL AS FOLLOWS:

Section 1. Title 9, PUBLIC PEACE, MORALS & WELFARE, Chapter 9.56.010 UNLAWFUL ACTS, of the Payette Municipal Code is hereby amended as follows:

9.56.010: UNLAWFUL ACTS:

A. It is unlawful for any person, firm, corporation or any agent thereof, with or without a license, to sell, give, distribute or make available, either directly or indirectly, any cigarettes, cigarette paper, snuff, chew, chewing tobacco, electronic cigarettes, e-cigarettes, electronic cigar, electronic pipe, vape product or any other tobacco products as defined in Idaho Code 39-5702(13) to any person under ~~eighteen~~ twenty-one (~~18-21~~) years of age.

B. It is unlawful for any person under ~~eighteen~~ twenty-one (~~18-21~~) years of age to purchase, receive, accept, share, possess, handle or use in any manner, any cigarettes, cigarette papers, snuff, chew, chewing tobacco or any other tobacco products, electronic cigarettes, e-cigarettes, electronic cigar, electronic pipe, vape product as defined in Idaho Code 39-5702(13) or anything purporting to be or resembling a cigarette.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

Section 6. Any violation of this ordinance shall be a misdemeanor.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this ____ day of _____ 2021.

CITY OF PAYETTE, IDAHO

BY _____

Jeffrey T. Williams, Mayor

ATTEST:

City Clerk