

VILLAGE OF ANTIOCH

ORDINANCE NO. 18-05-17

**AN ORDINANCE AMENDING CHAPTER 4-14 OF THE MUNICIPAL CODE OF
ANTIOCH PROHIBITING SALES OF CIGARETTES, TOBACCO PRODUCTS,
E-CIGARETTES AND VAPING PRODUCTS TO PERSONS UNDER 21**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

May 14, 2018

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 17th day of May, 2018.**

LAWRENCE M. HANSON

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ORDINANCE 18-0-17

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WHEREAS, the Village currently regulates the sale of cigarettes, tobacco products, e-cigarettes and vaping products (“regulated products”) in Chapter 4-14 of the Antioch Municipal Code, and

WHEREAS, the Village Board takes particular note of the provisions of Section 4-14-15 of the Antioch Municipal Code which currently prohibit the sale of the regulated products to persons under the age of 18 years, and

WHEREAS, the Village Board finds that the sale of regulated products to persons aged between 18 and 21 has been shown to substantially increase the potential for younger minors to obtain these products and thereby access the addictive potential of nicotine as well as the psychological effects of habituation, and

WHEREAS, the Village Board finds that the adverse health effects of using regulated products, particularly by minors, is a significant community health risk based on information provided through the Lake County Health Department, and

WHEREAS, the Village Board finds and declares that the sale of regulated products to persons under 21 years of age is a matter of significant and sufficient concern such that banning sales of such products to persons younger than 21 is a necessary step which will ultimately prevent addiction and habituation, will save lives and will improve the safety of the public and visitors to the Village and its environs, and

WHEREAS, despite the foregoing, the Village Board finds that the sale of tobacco and vaping products to persons younger than 21 is currently lawful in nearby jurisdictions, and the Village Board finds no valid reason to penalize persons who lawfully purchased such products in other locales, despite the obvious need to attempt to assist in a larger effort to reduce teenage use of such products by the measures described in this Ordinance,

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: Sections 4-14-15, 4-14-16 and 4-14-17 of the Antioch Municipal Code are hereby amended and they shall hereafter read as follows (additions underlined, deletions ~~stricken~~):

4-14-15: SALES TO MINORS PROHIBITED:

A. It is strictly unlawful for any person to sell, offer for sale, give away or deliver regulated products to any person under the age of ~~eighteen (18)~~twenty-one (21) years.

B. No licensee or his agent or employees shall permit any person under the age of ~~eighteen (18)~~twenty-one (21) years in or about any premises operating under a class B or C license unless that minor is accompanied by a parent or guardian.

4-14-16: WARNING SIGNS:

A. It is unlawful for any person to sell, offer for sale, give away or deliver tobacco products or tobacco accessories in any place that does not post signs informing the public of the age of sale restrictions and surgeon general warning in a conspicuous place at or near every display of tobacco products. Each sign shall be plainly visible and shall state:

**SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO PERSONS
UNDER ~~EIGHTEEN~~ TWENTY-ONE YEARS OF AGE, OR THE
MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED
BY LAW.**

**SURGEON GENERAL'S WARNING: SMOKING BY PREGNANT WOMEN
MAY RESULT IN FETAL INJURY, PREMATURE BIRTH, AND LOW BIRTH
WEIGHT.**

B. The text of such signs must be in red letters on a white background, and said letters must be at least one-half inch (1/2") high.

C. To ensure uniformity and to promote public health, the village clerk may issue standard signs which meet the requirements of this provision at the same time that licenses are issued.

4-14-17: IDENTIFICATION REQUIRED:

No licensee shall sell or permit to be sold regulated products or accessories to an individual without requesting and examining photographic identification establishing the purchaser's age as ~~eighteen (18)~~ twenty-one (21) years of age or greater.

SECTION TWO: The provisions of Section 6-2-5-5 of the Antioch Municipal Code which allow possession of tobacco products by persons aged 18 years and up is specifically not amended and shall remain in full force and effect.


SECTION THREE: Section 6-2-5-6 of the Antioch Municipal Code which prohibits transfer and sale of tobacco products to persons under age 18 are repealed as these provisions are fully regulated in Chapter 14-14.

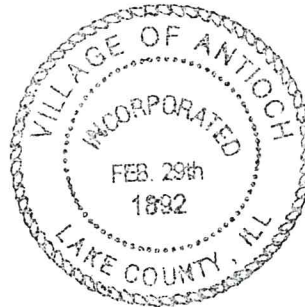
SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS 14th day of May, 2018.

ATTEST:


LAWRENCE M. HANSON, MAYOR


CHERYL MATEJA, DEPUTY VILLAGE CLERK



STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, Cheryl Mateja, certify that I am the duly appointed Municipal Deputy Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on May 14, 2018, the Corporate Authorities of such municipality passed and approved **Ordinance No. 18-05-17**, entitled ***"AN ORDINANCE AMENDING CHAPTER 4-14 OF THE MUNICIPAL CODE OF ANTIOCH PROHIBITING SALES OF CIGARETTES, TOBACCO PRODUCTS, E-CIGARETTES AND VAPING PRODUCTS TO PERSONS UNDER 21"*** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 18-05-17**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 17, 2018 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 17th day of May, 2018


Cheryl Mateja
Deputy Village Clerk

