

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2019- 16

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE AMENDING TITLE 5, CHAPTER 2, MINORS SECTION 2
OF THE CITY CODE OF THE CITY OF GENOA

Adopted July 16, 2019, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 16th day of July 2019.

ORDINANCE NO. 2019-16

AN ORDINANCE AMENDING TITLE 5, CHAPTER 2, MINORS, SECTION 2 OF THE CITY CODE OF THE CITY OF GENOA

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

WHEREAS, Public Act 101-2 amended State Law regulating the sale of tobacco to minors;

WHEREAS, it is now unlawful for persons under the age of 21 to purchase tobacco products;

WHEREAS, this Public Act removes language that previously made it illegal for minors to possess tobacco and related products;

WHEREAS, as a non-home rule community, the City of Genoa can only exercise powers for which express authority is provided by State Law;

NOW THEREFORE, be it that the Municipal Code of the City of Genoa be amended as follows:

SECTION 1: That Title 5, Chapter 2, Minors, Section 2, be amended to instead read:

5-2-2: TOBACCO PRODUCTS; SALE OF TO MINORS:

- A. ~~Purchase or Possession~~ Unlawful: It shall be unlawful for any person under **twenty-one (21)** years of age to attempt to purchase ~~or any person under eighteen (18) years of age to possess, in a public building, place, school or park, or upon any public highway,~~ a tobacco product, or e-cigarettes or their components, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products or e-cigarettes or their components.
- B. **Unlawful Sales and Distribution:** It shall be unlawful for any person to sell, buy, or distribute any tobacco product to a person under **twenty-one (21)** years of age.

SECTION 2: That the following be deleted from Title 1, Chapter 4, General Penalty, Section 1:

~~**5-2-2-A Possession of tobacco/e-cigarettes by a minor—Mandatory**~~

SECTION 3: That Title 1, Chapter 4, General Penalty, Section 1 be amended to instead read:

5-2-2-B Sale of Tobacco or related products to persons under 21 Mandatory

SECTION 4: This ordinance shall be in full force and effect from and following its passage and approval.

AYES: 6- Carroll, DiGuido, Stevenson, Winter, Brust, Lang

NAYES: 0

ABSTAINED: 0

ABSENT: 2- Wesner, Cravatta

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 16 day of July, 2019.

Approved by me this 16 day of July, 2019.



(SEAL)



Mark Vicary, Mayor

ATTESTED and filed in my office this 17 day of July, 2019.



Kim Winker, City Clerk