

**ORDINANCE NO. 3965**

**ORDINANCE AMENDING CHAPTERS 95 AND 113  
OF THE KEWANEE CITY CODE  
INCREASING THE MINIMUM AGE FOR THE SALE, PURCHASE, AND USE OF  
TOBACCO PRODUCTS, ELECTRONIC CIGARETTES AND ALTERNATIVE  
NICOTINE PRODUCTS FROM 18 TO 21 YEARS OLD**

**WHEREAS**, on April 8, 2019, the General Assembly of the State of Illinois enacted Public Act 101-0002 (the “Act”) which increases the minimum age for the sale and purchase of tobacco products, electronic cigarettes and alternative nicotine products within the State of Illinois from eighteen (18) to twenty-one (21) years of age; and

**WHEREAS**, the Act will take effect beginning on July 1, 2019; and

**WHEREAS**, Chapter 113 of the Kewanee City Code currently permits the sale and purchase of tobacco products within the City limits to persons eighteen (18) years of age and older; and

**WHEREAS**, to comply with the Act, the Mayor and City Council of the City of Kewanee desire to amend the Kewanee City Code to increase the minimum age for the sale, purchase, and use of tobacco products, including electronic cigarettes and alternative nicotine products within the City limits from eighteen (18) to twenty-one (21), effective as of July 1, 2019.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and City Council of the City of Kewanee, Henry County, Illinois as follows:

**SECTION 1:** The recitals as set forth in the preambles of this Ordinance, are true and correct and are hereby incorporated herein as if fully set forth in this Section 1.

**SECTION 2:** That Chapter 113, Section 113.06, as amended, be further amended by omitting text shown as ~~strikethrough~~ and adding text shown as underlined, to read as follows:

**“Sec. 113.06 SALE TO UNDERAGE PERSONS PROHIBITED.**

No person shall sell or furnish any cigars, cigarettes or tobacco, electronic cigarette, or alternative nicotine product in any form to any minor under the age of ~~18~~21 years.”

**SECTION 3:** In all other respects, Chapter 113, Section 113.06 shall remain in full force and effect.

**SECTION 4:** That Chapter 95, Section 95.07, as written, be amended by omitting text shown as ~~strikethrough~~ and adding text shown as underlined, to read as follows:

**“Sec. 95.07 SMOKING PROHIBITED.**

It shall be unlawful for any person under the age of ~~18~~ 21 years to smoke or use cigarettes on any street, alley, or park or other property used for public purposes, or in any public place of business or amusement in the city. It shall further be unlawful for any person to use an electronic cigarette, “vape”, or smoke tobacco in any form, whether in a pipe, cigarette, cigar or otherwise, in or upon any public conveyance within the city, except in a compartment provided for smoking purposes, in any such conveyance, or on any city-owned property excluding right-of-way, cemeteries,

Francis Park, and parking lots in the downtown. Any person violating the provisions hereof shall be deemed guilty of a misdemeanor.”

**SECTION 5:** In all other respects, Chapter 95, section 95.07 shall remain in full force and effect.

**SECTION 6:** The foregoing amendments to the Kewanee City Code shall take effect on and after July 1, 2019.

**SECTION 7:** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 8:** The City Clerk is directed to publish this Ordinance in pamphlet form.

**SECTION 9:** This Ordinance shall be in full force and effect from and after its passage, publication, and approval as provided by law.

Passed by the Council of the City of Kewanee, Illinois this 28th day of May, 2019.

ATTEST:

  
Deborah Johnson, Deputy Clerk

  
Gary Moore, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Gary Moore	X			
Council Member Michael Komnick	X			
Council Member Steve Faber	X			
Council Member Chris Colomer				X
Council Member Michael Yaklich	X			