


VILLAGE OF PALESTINE, ILLINOIS

ORDINANCE NO. 2019-O-02

AN ORDINANCE TO AMEND CHAPTER 43, TOBACCO,  
OF THE VILLAGE OF PALESTINE, ILLINOIS, AS AMENDED

ADOPTED BY THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PALESTINE, ILLINOIS  
THIS 11<sup>th</sup> DAY OF JULY, 2019

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF  
THE BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,  
CRAWFORD COUNTY, ILLINOIS  
THIS 11<sup>th</sup> DAY OF JULY, 2019

  
\_\_\_\_\_  
SHIRLEY ADAMS, Village Clerk

ORDINANCE NO. 2019-0-02  
AN ORDINANCE TO AMEND CHAPTER 43, TOBACCO,  
OF THE VILLAGE OF PALESTINE, ILLINOIS, AS AMENDED

BE IT ORDAINED By the Board of Trustees of the Village of Palestine, Crawford County, Illinois that CHAPTER 43, TOBACCO, of the Palestine Village Code, be, and the same is hereby amended to be as follows:

**CHAPTER 43  
TOBACCO**

**43.01 Tobacco and Electronic Smoking Devices**

**(a) Definitions.** For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them:

**Tobacco products:** Any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco, nicotine gels and dissolvable nicotine products or any electronic smoking device.

**Electronic smoking device:** Any electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other regulated substances. "Electronic smoking device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, hookah pen, vape pens or any other product name or descriptor. An electronic smoking device excludes any product approved by the United States Food and Drug Administration as a nontobacco product used for medicinal purposes and is being marketed and sold solely for that approved purpose.

**(b) Sales to persons under 21 prohibited.** It shall be unlawful for any person or entity to sell tobacco products or electronic smoking devices to any person under the age of 21 years.

**(c) Purchases by persons under 21 prohibited.** It shall be unlawful for any person under the age of twenty-one (21) years to purchase tobacco products or electronic smoking devices, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products or electronic smoking devices.

**(d) Possession by persons under 21 prohibited.** It shall be unlawful for any person under the age of 21 years to possess any tobacco products or electronic smoking devices, provided that the possession by a person under the age of 21 years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

BE IT FURTHER ORDAINED that any person violating any provision of this Ordinance, or any rule or regulation adopted or used pursuant thereto, or any provision of this Ordinance adopted herein by reference, shall upon conviction be subject to a fine of not less than \$50.00 nor more than \$750.00, and the costs of prosecution and the attorney's fees of the Village in a minimum amount of \$175.00 per hour.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted yea:

*HARRY Gene Purcell, BRIAN Nethery, MARY Michael,  
Tim Mc David, J. R. DONLAP, Twilla DAVIS.*

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 11<sup>th</sup> day of  
July, 2019.

  
*James R. Byrley*  
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JAMES R. BYRLEY, President of the  
Board of Trustees

ATTEST:

*Shirley Adams*  
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SHIRLEY ADAMS, Village Clerk