

ORDINANCE NO. 445

**AN ORDINANCE PERTAINING TO
POSSESSION AND USE OF TOBACCO BY MINORS**

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE TOWN OF MILLS, WYOMING:

9.04.110 Tobacco possession or use by minors prohibited.

(a) It is unlawful for any person under the age of eighteen (18) years to possess or use any tobacco products.

(b) Any person violating subsection (a) of this section is guilty of a misdemeanor punishable on first offense by a fine of twenty-five dollars (\$25.00). Upon second or subsequent offense, the person shall be assessed a fine as determined by the Court in an amount up to seven hundred fifty dollars (\$750.00). Upon conviction for violation of subsection (a) of this section, the Court may allow the Defendant to perform community service and be granted credit against his fine and Court costs at a rate of five dollars (\$5.00) for each hour of work performed.

(c) It is an affirmative defense to a prosecution under subsection (a) of this section that the defendant possessed or used the tobacco product in the home of, or under the direct supervision of, his parent or guardian.

(d) As used in this ordinance, "tobacco products" means any substance containing tobacco leaf, including, but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

PASSED on 1st reading the 5th day of November, 1997.

PASSED on 2nd reading the 3rd day of December, 1997.

PASSED, APPROVED, AND ADOPTED on the 3rd and final reading
on the 7 day of Jan, 1997.

TOWN OF MILLS, WYOMING

By: Robert Goff
Robert Goff, Mayor

ATTEST:

Sue Regennas
Sue Regennas
Town Clerk

I, Sue Regennas, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 445, entitled "AN ORDINANCE PERTAINING TO POSSESSION AND USE OF TOBACCO BY MINORS." Passed on third and final reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held in the Council Chambers on the 7th day of January, 1998.

Sue Regennas
Sue Regennas, Town Clerk

Seal

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 445, approved and passed as certified above, were, following its passage by the Town Council, posted in the Town Clerk's Office and the Mills Post Office for a period of (10) days as required by law; that it took effect and became in force as a legal Ordinance of the Town of Mills, Wyoming, on the 20th day of January, 1998.

Seal

Sue Regennas
Sue Regennas, Town Clerk