

ORDINANCE NO. 446

**AN ORDINANCE PERTAINING TO
SALE OR DELIVERY OF TOBACCO TO MINORS**

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

9.04.120 Prohibited Sales or Delivery of Tobacco to Minors

(a) No person shall sell, offer for sale, give away or deliver tobacco products to any person under the age of eighteen (18) years.

(b) Any person violating subsection (a) of this section is guilty of a misdemeanor punishable on first offense by a fine of fifty dollars (\$50.00). 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).

(c) It is an affirmative defense to a prosecution under subsection (a) of this section that:

- (i) In the case of a sale, the person who sold the tobacco product was presented with, and reasonably relied upon, an identification card which identified the person buying or receiving the tobacco product as being over eighteen (18) years of age; or
- (ii) The tobacco product was given or delivered to the person under eighteen (18) years of age by his parent or guardian and the tobacco product was given or delivered to the person for the use in the privacy of his parent's or guardian's home or under the direct supervision of the 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. 446, entitled "AN ORDINANCE PERTAINING TO SALE OR DELIVERY OF TOBACCO TO 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.

Seal

Sue Regennas
Sue Regennas, Town Clerk

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. 446, 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