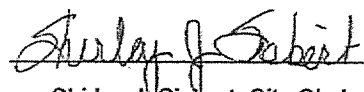


STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Shirley J. Siebert, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-19-022 AN ORDINANCE AMENDING THE CITY OF WOOD DALE MUNICIPAL CODE CHAPTER 4, ARTICLE 3, REGARDING THE SALES, POSSESSION AND RESTRUCTIONS OF TABACCO PRODUCTS AS DEFINED BY THE ILLINOIS COMPILED STATUTES**

Passed to The City Of Wood Dale, Dupage County, Illinois, IN WITNESS WHEREOF, I have hereunto Subscribed my name and affixed the seal of the City of Wood Dale, this 18TH day of July, 2019.


Shirley J. Siebert, City Clerk

SEAL



#O-19-022


**AN ORDINANCE AMENDING THE CITY OF WOOD DALE MUNICIPAL
CODE, CHAPTER 4, ARTICLE 3, REGARDING THE SALES,
POSSESSION AND RESTRUCTIONS OF TABACCO PRODUCTS AS
DEFINED BY THE ILLINOIS COMPILED STATUTES**

Passed: July 18, 2019
Published in Pamphlet Form July 18, 2019

I, Shirley J. Siebert, as the Clerk for the City of Wood Dale, hereby certify that the
attached Ordinance is a true and correct copy o #O-19-022

**AN ORDINANCE AMENDING THE CITY OF WOOD DALE
MUNICIPAL CODE, CHAPTER 4, ARTICLE 3, REGARDING THE
SALES, POSSESSION AND RESTRUCTIONS OF TABACCO PRODUCTS
AS DEFINED BY THE ILLINOIS COMPILED STATUTES**

Passed and approved by the City Council of the City of Wood Dale, July 18, 2019, hereby
published in pamphlet form July 18, 2019.


Shirley J. Siebert, City Clerk



SEAL

ORDINANCE NO. O-19-022

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE III, OF THE CODE OF ORDINANCES OF THE CITY OF WOOD DALE TO PROHIBIT THE SALE OF TOBACCO TO PERSONS UNDER THE AGE OF 21, AND PROHIBIT THE POSSESSION OF TOBACCO PRODUCTS BY PERSONS UNDER 21 YEARS OF AGE

WHEREAS, the City of Wood Dale (hereinafter referred to as "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code, 65 ILCS 5/11-20-5 to regulate for the public health; and

WHEREAS, the City is authorized, pursuant to its police power, 65 ILCS 5/11-1-1, to carry out the powers delegated to it under its grants of authority; and

WHEREAS, the City has determined that it is reasonable and necessary, pursuant to its community caretaking function and in furtherance of public safety, to provide restrictions on the purchase of tobacco products by minors; and

WHEREAS, On July 1, 2019 the State Of Illinois enacted a statute amendment (Public Act #101-0002) to raise the age to purchase, possess or sell tobacco products from 18 years to 21 years of age.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: That the recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That Chapter 4, Article III, of the City of Wood Dale Municipal Code is hereby amended:

Section 4.306 Cigarette and Tobacco Dealers

- A. License Required: No person shall engage in the sale of cigarettes, electronic cigarettes or their components, cigars or tobacco in any form at retail within the corporate limits of the City without having obtained a license from the City in the manner provided in section 4.302 of this article.
- B. Prohibited Signs And Delivery:
 - 1. Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco products or

electronic cigarettes or their components and on or upon every vending machine which offers tobacco products or electronic cigarettes or their components for sale. Each such sign shall be plainly visible and shall state:

THE SALE OF TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES OR THEIR COMPONENTS TO PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE IS PROHIBITED BY LAW.

The text of such signs shall be in red letters on a white background, said letters to be at least one inch (1") high.

2. It shall be unlawful for any person to sell, offer for sale, give away or deliver tobacco products or electronic cigarettes or their components within one hundred feet (100') of any school, childcare facility or other building used for education or recreational programs for persons under the age of twenty-one (21) years.

C. Minimum Age to Sell Tobacco Products: It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under sixteen (16) years of age to sell tobacco products or electronic cigarettes or their components in any licensed premises.

D. Purchase or possession By Minors Prohibited: It shall be unlawful for any person under the age of twenty-one (21) years to purchase or possess tobacco products, or electronic 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.

E. Certain Free Distributions Prohibited: It shall be unlawful for any licensee or any person in the business of selling or otherwise distributing, promoting or advertising tobacco products or electronic cigarettes or their components, or any employee or agent of any such licensee or person, in the course of such licensee's or person's business, to distribute, give away or deliver tobacco products or electronic cigarettes or their components free of charge to any person on any right-of-way, park, playground, or other property owned by the City, any school district, any park district or any public library.

F. Responsibility For Agents And Employees: Every act or omission of whatsoever nature, constituting a violation of any of the provisions of this section by any officer, director, manager or other agent or employee of any licensee shall be deemed and held to be the act of such licensee; and such licensee shall be punishable in the same manner as if such act or omission had been done or omitted by the licensee personally.

SECTION THREE: That all portions of Article III of Chapter 4 not amended by this Ordinance shall remain in full force and effect.

SECTION FOUR: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the

statutes of the State of Illinois.

SECTION FIVE: Any and all policies, resolutions or ordinances in conflict with the provisions of this ordinance shall be, and they are hereby, repealed.

SECTION SIX: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 18th day of July, 2019.

AYES: Aldermen Catalano, JAKAB, Messina, Sorrentino, Susmarski,
E. Wesley, R. Wesley and Woods

NAYS: None

ABSENT: None

APPROVED this 18th day of July, 2019.

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Annela Melone for Shirley Siebert
Shirley J. Siebert Deputy Clerk City Clerk