
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2019- O - 18**

**AN ORDINANCE AMENDING TITLE 10 OF THE
WILLOW SPRINGS VILLAGE CODE**

JOHN M. CARPINO, President

MARY JANE MANNELLA, Clerk

**THOMAS E. BIRKS
TERRANCE M. CARR
MICHAEL C. KENNEDY
ERNIE MOON
MELISSA N. NEDDERMEYER
FRED POSCH**

TRUSTEES

VILLAGE OF WILLOW SPRINGS

ORDINANCE 2019-O-18

**AN ORDINANCE AMENDING TITLE 10 OF THE
WILLOW SPRINGS VILLAGE CODE**

WHEREAS, the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois, find that there is substantial scientific evidence that cigarette smoking and the use of other forms of tobacco and tobacco products are dangerous to human health; and

WHEREAS, it is likely that a majority of individuals under the age of 18 obtain tobacco products from people under the age of 21; and

WHEREAS, it is further likely that raising the age the minimum age from 18 to 21 has been shown to reduce smoking in individuals under the age of 18; and

WHEREAS, pursuant to Public Act 101-0002, the State of Illinois has raised the age for whom tobacco products, electronic cigarettes, and alternative nicotine products may be sold to and possessed by from at least 18 years of age to at least 21 years of age; and

WHEREAS, the President and Board of Trustees further find that the public health, welfare and safety is furthered by preventing the purchase and use of tobacco products by persons under the age of 21 years; and

BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF WILLOW SPRINGS, ILLINOIS:

SECTION 1: That the above recitals and legislative findings are found to be true and correct, and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2: That, Section 10-1-11, OFFENSES CONCERNING MINORS, of Chapter 1 of Title 11 of the Village of Willow Springs Code is hereby amended with deletions in strikethrough and additions in bold, underline text so that the same shall be read as follows:

10-1-11: OFFENSES CONCERNING MINORS:

A. Tobacco Products, Sales To Minors, Possession By Minors:

1. "Tobacco products" as used herein means any substance containing tobacco leaf, including, but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, ~~or dipping tobacco,~~ electronic cigarettes, or alternative nicotine products.
- ~~2. It shall be unlawful for any person to sell or give away directly or indirectly, to any person under the age of eighteen (18) years any tobacco products. It shall be unlawful for any person under the age of eighteen (18) years to be in possession of or in control of any tobacco products.~~
2. No person under twenty-one (21) years of age shall have in his possession any tobacco or tobacco related object.
3. No person under twenty-one (21) years of age shall buy any tobacco product, electronic cigarette, or alternative nicotine product. No person shall sell, buy for, distribute samples of or furnish any tobacco product, electronic cigarette, or alternative nicotine product to any person under twenty-one (21) years of age.
4. No person under sixteen (16) years of age may sell any tobacco product at a retail establishment selling tobacco products. This subsection does not apply to a sales clerk in a family owned business which can prove that the sales clerk is in fact a son or daughter of the owner.
5. No person under twenty-one (21) years of age in the furtherance or facilitation of obtaining any tobacco product, electronic cigarette, or alternative nicotine product shall display or use a false or forged identification card or transfer, alter, or deface an identification card.
6. Tobacco products, electronic cigarettes, or alternative nicotine products may be sold through a vending machine only if such tobacco products are not placed together with any nontobacco product, other than matches, in the vending machine and the vending machine is in any of the following locations:
 - a. Places to which persons under twenty-one (21) years of age are not permitted access.
 - b. Places where alcoholic beverages are sold and consumed on the premises and vending machine operation is under the direct supervision of the owner or manager.
 - c. Places where the vending machine can only be operated by the owner or an employee over age twenty-one (21) either directly

or through a remote control device if the device is inaccessible to all customers.

SECTION 3: This Ordinance shall not be held to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatsoever affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred to any right accrued to claims arising before this Ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceedings, as far as practicable.

SECTION 4: That if any part or parts of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Village Board declare hereby that they would have passed the remaining parts of this Ordinance, if they had known that such part or parts thereof would be declared unconstitutional.

SECTION 5: The Village Clerk of the Village of Willow Springs is directed hereby to publish this Ordinance in pamphlet form.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Ordinance 2018-O-18, approved and adopted by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this **13th day of June 2019**, pursuant to a roll call vote, as follows:

	PRESENT	ABSENT	YES	NO	ABSTAIN
Trustee Birks	✓		✓		
Trustee Carr	✓		✓		
Trustee Kennedy	✓		✓		
Trustee Neddermeyer	✓		✓		
Trustee Posch	✓		✓		
Trustee Moon	✓		✓		
President Carpino	✓				
TOTAL	7	0	6	0	0

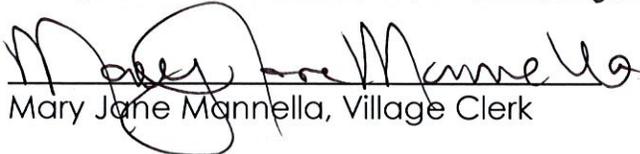

 John M. Carpino, Village President

ATTEST:


 Mary Jane Mannella, Village Clerk



Published in pamphlet form by order of the Village Board this 13th day of June, 2019.


 Mary Jane Mannella, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Mary Jane Mannella, DO HEREBY CERTIFY that I am the duly qualified and appointed Village Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Village Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE NO. 2019-O-18, "AN ORDINANCE AMENDING TITLE 10 OF THE WILLOW SPRINGS VILLAGE CODE"** adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on **June 13, 2019**.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois on **June 13, 2019**.




Mary Jane Mannella, Village Clerk
Village of Willow Springs, Cook County, Illinois