

**ENROLLED ORDINANCE NO. 16-001**

**AN ORDINANCE AMENDING TITLE 9 “PUBLIC PEACE, MORALS AND WELFARE” REVISING CHAPTER 9.16 “OFFENSES BY OR AGAINST MINORS”, SECTION 9.16.030 “PURCHASE, USE, OR POSSESSION OF TOBACCO BY MINORS PROHIBITED” OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:**

**Section 1.**

Section 9.16.030 of the Riverton Municipal Code (RMC) for the City of Riverton, Wyoming is hereby revised to read as follows:

**Section 9.16.030 - Purchase, use or possession of tobacco by minors prohibited.**

- A. No person under the age of eighteen (18) years shall:
  - 1. Purchase tobacco products;
  - 2. Misrepresent his identity or age, or use any false or altered identification for the purpose of purchasing tobacco products; or
  - 3. Possess or use any tobacco product *or “vaping” device that involves inhaling vapors or fumes, regardless of the substance being inhaled.*
  
- B. Any person who violates any provision of subsection A of this section is guilty of a misdemeanor ~~punishable by a fine of not more than twenty five dollars (\$25.00). Upon conviction for any violation of subsection A of this section, the court may allow the person to perform community service and be granted credit against his fine and court costs at the rate of five dollars (\$5.00) for each hour of work performed.~~ *, and shall be subject to RMC 1.20 “General Penalty”. Any person charged with a violation of subsection A must appear in court with a parent or legal guardian.*
  
- C. It is an affirmative defense to a prosecution for a violation of subsection (A)(3) of this section, that the person possessed or used the tobacco product in the home of, or under the direct supervision of, his parent or guardian.
  
- D. For the purpose of this section, “tobacco products” means any substance containing tobacco leaf *or nicotine, regardless of origin*, including without limitation, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco. *Vaping devices, including electronic cigarettes, regardless of the substance intended for inhalation, are included as violations of this ordinance.*

**Section 2.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3.**

This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING

APRIL 5, 2016

PASSED ON SECOND READING

APRIL 19, 2016

PASSED ON THIRD READING

MAY 3, 2016

PASSED, ADOPTED AND APPROVED this 3<sup>rd</sup> day of May, 2016.

CITY OF RIVERTON

By: \_\_\_\_\_  
John L. Baker  
Mayor

ATTEST:

\_\_\_\_\_  
Courtney V. Bohlender  
City Clerk/ Director of Administrative Services

**ATTESTATION**

I, Courtney V. Bohlender, Clerk of the City of Riverton, attest that Ordinance# 16-001 was passed, approved, and adopted by the Governing Body of the City of Riverton on the 3<sup>rd</sup> day of May, 2016. I further certify that the above ordinance ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being \_\_\_\_\_.

\_\_\_\_\_  
Courtney V. Bohlender  
Director of Administrative Services