

ORDINANCE NO. 728

AN ORDINANCE PROVIDING FOR THE REGULATION OF THE DIASPLAY OF TOBACCO PRODUCTS FOR SALE IN THE CITY OF EUDORA, KANSAS

WHEREAS, the governing Body of the City of Eudora, Kansas, finds that the use of tobacco products by minors including, but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuff and all forms of smokeless tobacco and tobacco which may be smoked, chewed, inhaled or otherwise ingested in the body of the user thereof, is a matter of great public concern;

WHEREAS, the ingestion of tobacco products in the body of the user may cause serious physical harm to the user; and

WHEREAS, the Governing Body of the City of Eudora, Kansas, does, pursuant to the authority granted it under the Police Powers, intend by this ordinance to curtail the easy access of said tobacco products to minors within the City of Eudora, Kansas;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EUDORA, KANSAS:

Section I. The above-stated recitals are incorporated herein by reference and made a part of this ordinance.

Section II. That on and after the effective date of this ordinance it shall be lawful for any person, partnership, corporation, or entity of any kind to display tobacco products, including, but not limited to, cigarettes, cigars, pipe tobacco, chewing tobacco, snuff and all forms of smokeless tobacco and tobacco which may be smoked, chewed, inhaled or otherwise ingested in the body of the user thereof, in such a place or in such a manner that any of such tobacco products can be handled or possessed by a member of the public without intervention or assistance by the owner of the business so displaying any such tobacco products, its or his or her agent, servant or employee.

Section III. Any person violating any provision of this ordinance shall, upon conviction thereof, be punished by a fine not less than \$250.00 nor more than \$1,000.00.

Section IV. This Ordinance shall be in full force and effect on the 31st day following its publication as provided by law.

PASSED by the Governing Body of the City of Eudora, Kansas, this 30th day of November, 1998.