

MILTON TOWNSHIP BOARD

Ordinance No. 0-97-7

An Ordinance of the Township of Milton, County of DuPage, Illinois

UNLAWFUL POSSESSION AND USE OF TOBACCO BY AN UNDERAGE INDIVIDUAL IN MILTON TOWNSHIP

Be, And is Hereby Ordained by the duly elected Trustees and Supervisor of Milton Township in regular session assembled and the consent and approval of the Milton Township Highway Commissioner.

Section 1. That this Ordinance, consisting of nine (9) Sections, inclusive, is hereby adopted and enacted.

Section 2. That all provisions of this Ordinance shall be in full force and effect from and after the 8th day of July, 1997.

Section 3. It shall be illegal for any person under the age of 18 years old to be in possession of or use any tobacco products in Milton Township.

Section 4. Whenever any person under the age of 18 years old is found in possession of or using any tobacco product in violation of any of the restrictions imposed by this ordinance, the officer shall issue the offender a citation for said violation.

Section 5. If a violator fails to appear in response to a citation within a period of five (5) days, the Clerk of the Township shall send to the offender a letter informing the offender of the violation and warning that in the event such letter is disregarded for a period of five (5) days, the matter will proceed to court.

Section 6.

(a) Law enforcement officers are hereby authorized to confiscate any tobacco at the time of the citation as evidence and to destroy the tobacco product when the citation has been paid or the court proceedings completed.

Section 7. Violators of this Ordinance may be assessed a fine not to exceed the sum of FIVE HUNDRED DOLLARS (\$500.00). The payment of fines for violations shall be as follows:

(a) In the event the violator elects to pay a fine within five (5) days of the date of the citation, then the fine shall be **Fifteen Dollars** (\$15.00).

(b) In the event the violator elects to pay a fine after the first five (5) day period, but prior to the issuance of an arrest warrant, then the fine shall be **Thirty Dollars** (\$30.00).

(c) In the event the violator elects to pay a fine after an arrest warrant has been issued, then the fine shall be **Fifty Dollars** (\$50.00), plus costs of court.

Section 8. That all Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED by the Township Board of the Township of Milton, DuPage County, State of Illinois this 8th day of July, 1997, on the following roll-call vote:

	Aye	Nay	Absent
Trustee Barbara Murphy		X	
Trustee Ken J. McNatt			X
Trustee John Garrow	X		
Trustee O. Chris Heidorn	X		
Chairman Henry J. Kruse, Jr.	X		

APPROVED this 8th day of July, 1997.

ATTEST: A. Arlene DeMotte
A. Arlene DeMotte, Township Clerk

H. J. Kruse, Jr.
Henry J. Kruse, Jr., Township Supervisor
Chairman of the Milton Township Board

(SEAL)