

St. Louis City Ordinance 63747

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 233

INTRODUCED BY ALDERMAN PHYLLIS YOUNG

An ordinance enacting new provisions regarding the distribution of tobacco products to the general public at no cost for promotional purposes.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: DEFINITIONS.

For the purposes of this ordinance, the terms used herein shall have the following meaning:

- a. "Smokeless tobacco" shall mean loose tobacco or a flat compressed cake of tobacco that is inserted into the mouth.
- b. "Distribute" shall mean to give products to the general public at no cost for product promotional purposes.
- c. "Package" shall mean a pack, box, or container of any kind in which a smokeless tobacco product is offered for sale, sold, or otherwise distributed.
- d. "Person" shall mean any individual, partnership, corporation, or other business or legal entity.
- e. "Tobacco snuff" shall mean a small amount of shredded, powdered, or pulverized tobacco that may be inhaled through the nostrils, chewed, or held in the mouth of an individual user.

SECTION TWO. No person engaged in the business of selling smokeless tobacco products, tobacco snuff, cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking, or any agent or employee of such person, shall knowingly, in furtherance of such business, distribute any smokeless tobacco products, tobacco snuff, cigarettes, cigars, pipe tobacco, or their tobacco products suitable for smoking, except as follows:

- a. conventions and trade shows, provided that the distribution is confined to an area to which persons under the age of eighteen are denied access;

b. in an area to which persons under the age of eighteen are denied access, including bars, factories, construction areas, and private functions such as cigar dinners;

c. events sponsored by manufacturers of smokeless tobacco products, tobacco snuff, cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking, provided that the distribution is confined to an area to which persons under the age of eighteen are denied access;

SECTION THREE. The distribution of smokeless tobacco products, tobacco snuff, cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking in locations where such distribution is permitted pursuant to Section Two herein shall be made only to an individual who demonstrates, through a driver's license or other photographic identification issued by a government entity, that the individual is at least eighteen years of age. Such identification need not be required of any individual who reasonably appears to be at least twenty-five years of age.

SECTION FOUR. PENALTY

a. Any person found guilty of violating Section Two herein shall be fined \$500.00 for each offense.

b. The judge may in lieu of a fine, impose no less than 40 hours of community service for persons convicted of violating Section Two of this ordinance.

SECTION FIVE. EMERGENCY CLAUSE.

This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
11/09/95	11/09/95	LEG	02/22/96	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE

02/23/96	03/08/96	03/15/96	03/08/96	03/15/96
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