Ordinance No. 2018-13

An Ordinance amending sections 625.040 and 625.045 of the Minnetonka City Code, relating to the minimum age for sales of tobacco-related products

The City of Minnetonka Ordains:

Section 1. The Minnetonka City Code is amended by adding a new section 625.000 as follows:

625.000. Purpose.
The city finds that: smoking causes premature death, disability and chronic diseases, including cancer, heart disease and lung disease; smoking-related diseases result in excess medical care costs; and smoking initiation occurs primarily in adolescence. The city desires to prevent young people from starting to smoke, to encourage and assist smokers to quit, and to promote clean indoor air through the adoption of tobacco licensing regulations.

Section 2. Section 625.040 of the Minnetonka City Code is amended to read as follows:


A person must not sell, offer to sell, or give away any tobacco-related product to any person below the age of 18 years. A person must not sell, dispense, or give away any tobacco-related product through the use of a vending machine or similar automated dispensing device. A person must not sell, dispense or give away any tobacco-related product through self-service merchandising, except in facilities where the retailer ensures that no person younger than 18 years of age is present, or permitted to enter, at any time. A person must not sell tobacco-related products outside the location or area covered by a license.

Section 3. Section 625.045 of the Minnetonka City Code is amended to read as follows:

625.045. Other Illegal Acts.

Unless otherwise provided, the following acts are a violation of this section.

1. Illegal Possession. A person under 18 years of age must not have in his or her possession, or use any tobacco-related product. A person under 18 years of age must not sell a tobacco-related product or otherwise come in contact with a tobacco-related product during the course of employment. This subdivision does not apply to minor lawfully involved in a compliance check.[repealed]

2. Illegal Procurement. A person under 18 years of age must not purchase or attempt to purchase or otherwise obtain any tobacco-related product, and a person must not

The stricken language is deleted; the underlined language is inserted.
purchase, attempt to purchase, or otherwise obtain such items. any tobacco-related product on behalf of a person under the age of 21 years. A person must not coerce or attempt to coerce a person under the age of 21 years to illegally purchase or otherwise obtain or use any tobacco related product. This subdivision does not apply to minors lawfully involved in a compliance check.

3. False Identification. A person under 18 years of age must not attempt to disguise his or her true age by the use of a false form of identification, nor possess a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective Jan. 1, 2019.

Adopted by the city council of the City of Minnetonka, Minnesota, on Sept. 17, 2018.

Brad Wiersum, Mayor

Attest:

David E. Maeda, City Clerk

Action on this Ordinance:

Date of introduction: July 23, 2018
Date of adoption: Sept. 17, 2018
Motion for adoption: Acomb
Seconded by: Bergstedt
Voted in favor of: Acomb, Happe, Schack, Bergstedt, Ellingson, Wiersum
Voted against: Calvert
Abstained: Absent: Ordinance adopted.

Date of publication: Sept. 17, 2018

The stricken language is deleted; the underlined language is inserted.
I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on Sept. 17, 2018.

David E. Maeda, City Clerk