

ORDINANCE NO. 2017- 18

**AN AMENDMENT TO CHAPTER 170 OF THE
ORDINANCES OF THE TOWN OF BARRINGTON**

Chapter 170

**TOBACCO – PROHIBITED CONDUCT REGARDING PEOPLE UNDER 21 YEARS OF
AGE**

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WHEREAS, smoking has been deemed to be a hazard to the health and safety of the citizens of the Town of Barrington; and

WHEREAS, long-term smoking has been linked to emphysema, lung cancer, coronary heart disease, and other deadly or life-altering diseases; and

WHEREAS, cigarette smoking causes more than 480,000 deaths each year in the United States; and

WHEREAS, once people reach an age of responsible decision making they are less likely to start smoking; and

WHEREAS, where persons do not become addicted to smoking at a young age, they are less likely to become life-long smokers; and

WHEREAS, the Rhode Island Legislature did not intend to wholly occupy the entire field of tobacco regulation; and

WHEREAS, the Rhode Island Department of Health has lauded the Town's efforts to prevent cigarettes from getting into the hands of persons who are under 21 years of age.

NOW THEREFORE, BE IT KNOWN, that the Town of Barrington hereby creates an Ordinance prohibiting the selling, giving, or providing of tobacco products to persons under 21 years of age:

Section 170-9 and Section 170-10 is hereby enacted as follows:

§ 170-9 Prohibition of the selling, giving, or providing of tobacco products to persons under 21 years of age.

- A. No person in the Town of Barrington shall sell, give, or in any way provide tobacco products, as defined in this Chapter, to any individual under 21 years of age. This prohibition applies to all tobacco products. Giving, selling, or providing multiple tobacco

products to a single individual who is under the age of 21 within a single twenty-four-hour period shall be considered a single violation of this section and a single offense under section 170-9(B).

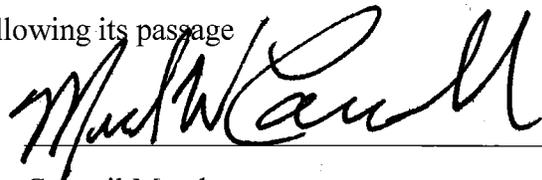
- B. A person who sells, gives, or provides tobacco products to an individual under 21 years of age shall be subject to a first offense fine of \$100. The fine shall be \$200 for the second offense and \$500 for the third offense occurring within one year of the first offense. A subsequent offense may only be charged if the date of such offense is after the date that a summons for the prior offense was issued or mailed.
- C. It is a defense to violation of this section if an individual who is under the age of 21 provides false identification indicating that the individual is 21 years old or older.

§ 170-10 Enforcement

The Town of Barrington shall prosecute any alleged violation of chapter 170 in Barrington Municipal Court. Any Municipal Court summons for any alleged violation of this chapter shall be issued or mailed to the alleged violator within fifteen (15) days of the alleged offense date. If the alleged violator is not issued or mailed a Municipal Court summons within fifteen (15) days of the alleged violation offense date, then the Town is barred from prosecuting that alleged violation.

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This ordinance shall take effect thirty (30) days following its passage



Council Member

Filed: 10-11-2017

Introduced: 10-19-2017

Adopted: _____

Posted: 10-12-17