

ORDINANCE NO. 880

AN ORDINANCE TO PROHIBIT POSSESSION, ETC.  
OF TOBACCO BY MINORS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY MINETTE,  
ALABAMA, as follows:

**ARTICLE ONE**

It shall be unlawful for any minor to purchase, use, possess, or transport tobacco or tobacco products within the City of Bay Minette. It shall not be unlawful for a minor employee of a tobacco permit holder to handle, transport, or sell tobacco or tobacco products if the minor employee is acting within the line and scope of employment and the permit holder, or an employee of the permit holder who is 21 year of age or older, is present.

**ARTICLE TWO**

Any tobacco or tobacco product found in the possession of a minor is contraband and subject to seizure by law enforcement. Any minor violating this Ordinance shall be issued a Municipal Ordinance Ticket as provided for in Ordinance Number 867 and shall be fined not less than Ten (\$10.00) nor more than Fifty (\$50.00) Dollars for each violation. The minor shall not be required to pay any other court costs or fees. Violations shall not be considered criminal offenses and shall be administratively adjudicated by the municipal court. All provisions of the Summons and Complaint procedure as set out in Ordinance Number 867, which are not inconsistent herewith, shall apply to violations hereunder.

**ARTICLE THREE**

The following schedule of fines is hereby adopted for violation of this Ordinance:

First Offense: \$10.00

Second Offense: \$25.00

Third Offense: Mandatory Court Appearance

**ARTICLE FOUR**

This Ordinance amends Ordinance Number 867 by adding this Ordinance to the list of Ordinances governed thereby and by adding the schedule of fines set out above.

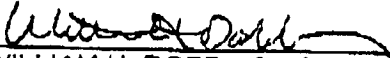
**ARTICLE FIVE**

The provisions of this Ordinance are severable and the invalidity or unenforceability of any part of this Ordinance shall not affect the enforceability and validity of any other portion.

**ARTICLE SIX**

This Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED on this the 19<sup>th</sup> day of August, 2002.

  
WILLIAM H. DOBBINS, JR., Mayor  
City of Bay Minette, Alabama

ATTEST:

  
MICHELLE HARBIN, City Clerk