

ORDINANCE NO. 20200220-080

AN ORDINANCE AMENDING CITY CODE CHAPTERS 10-4 AND 10-11 RELATING TO THE SALE OR DELIVERY OF CIGARETTES, TOBACCO PRODUCTS, OR ELECTRONIC SMOKING DEVICES TO MINORS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Findings

Council finds that amendments to Chapters 10-4 (*Minors' Access to Tobacco*) and 10-11 (*Electronic Smoking Devices*) of Title 10 (*Public Health Services and Sanitation*) of the City Code are necessary to ensure consistency with recently adopted Federal law relating to the lawful age for the sale or delivery of cigarettes, tobacco products, or electronic smoking devices.

PART 2. The definition of “minor” in City Code Section 10-4-1 (*Definitions*) is amended to read as follows:

- (1) MINOR means a person under [~~18~~] 21 years of age.

PART 3. Subsection (B) of City Code Section 10-4-11 (*Sale or Delivery to Minor Prohibited*) is amended to read as follows:

- (B) To comply with this section, proof of identification must:
 - (1) be issued by the department of public safety or another governmental agency;
 - (2) contain a photograph or physical description consistent with the appearance of the individual presenting the proof; and
 - (3) establish that the individual is [~~18~~] 21 years of age or older.

PART 4. The definition of “minor” in City Code Section 10-11-1 (*Definitions*) is amended to read as follows:

- (1) MINOR means a person under [~~18~~] 21 years of age.

PART 5. Subsection (B) of City Code Section 10-11-4 (*Sale or Delivery to Minor Prohibited*) is amended to read as follows:

- (B) To comply with this section, proof of identification must:

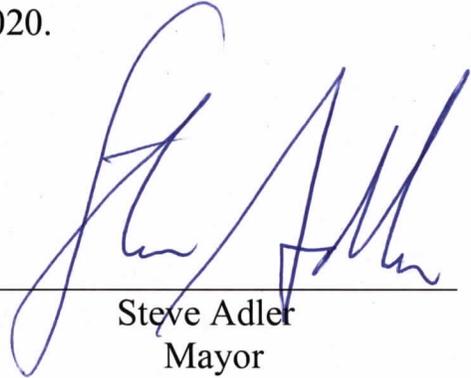
- (1) be issued by the department of public safety or another governmental agency;
- (2) contain a photograph or physical description consistent with the appearance of the individual presenting the proof; and
- (3) establish that the individual is [~~18~~] 21 years of age or older.

PART 6. This ordinance takes effect on March 2, 2020.

PASSED AND APPROVED

February 20, 2020

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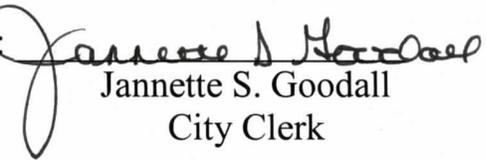
Steve Adler
Mayor

APPROVED: _____



Anne L. Morgan
City Attorney

ATTEST: _____



Jannette S. Goodall
City Clerk