

**CITY OF BROKEN BOW
ORDINANCE NO. 1218**

**AN ORDINANCE OF THE CITY OF BROKEN BOW, CUSTER COUNTY, NEBRASKA,
AMENDING SECTION 133.20: USE OF TOBACCO BY MINORS, SECTION 133.21 SALE OF
TOBACCO TO MINORS & SECTION 133.22: MISREPRESENTATION BY MINOR TO
OBTAIN TOBACCO; TO REPEAL ALL ORDINANCES IN CONFLICT; AND TO PROVIDE A
TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BROKEN BOW,
NEBRASKA:**

SECTION 1: Amending Section 133.20 of the Municipal Code of Broken Bow, Nebraska as follows:

§ 133.20 USE OF TOBACCO BY MINORS

Whoever, being a person minor under the age of 18 19 years, shall smoke cigarettes or cigars, use electronic nicotine delivery systems or alternative nicotine products, or use tobacco in any form whatever in the city, shall be guilty of an offense a Class V misdemeanor. Any person minor so charged with the violation of this section may be free from prosecution if when he or she shall have furnished evidence for the conviction of the person or persons selling or giving him or her the cigarettes, cigars, electronic nicotine delivery systems, alternative nicotine products or tobacco.

(Neb. RS 28-1418)

SECTION 2: Amending Section 133.21 of the Municipal Code of Broken Bow, Nebraska as follows:

§ 133.20 SALE OF TOBACCO BY MINORS

Whoever shall sell, give, or furnish, in any way, any tobacco in any form whatsoever, or any cigarettes, cigarette paper, electronic nicotine delivery systems, or alternative nicotine products, to any person minor under 19 18 years of age is guilty of an offense a Class III misdemeanor for each offense.

(Neb. RS 28-1419)

§ 133.22 MISREPRESENTATION BY MINOR TO OBTAIN TOBACCO

Any person under the age of 19 18-years who shall obtain cigars, tobacco, cigarettes, cigarette material, electronic nicotine delivery systems, or alternative nicotine products from a licensee hereunder by representing that he or she is of the age of 19 18 years or over shall be guilty of an offense is guilty of a Class V misdemeanor.

(Neb. RS 28-1427)

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication as provided by law

Passed and approved this 20th day of December 2019.

Jonathon Berghorst, Mayor

ATTEST:

Stephanie M. Wright, City Clerk