

ORDINANCE NO. 2022-07

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHEROKEE, OKLAHOMA, AMENDING CHAPTER 10 OF THE CHEROKEE MUNICIPAL CODE 2021; BY THE REPEAL OF SECTION 10-1003 WHICH PROVIDES FOR THE OFFENSE OF A MINOR PURCHASING OR POSSESSING TOBACCO AND FURTHER REPEALING THE PROVISIONS IN SECTION 1-111C PROVIDING FOR THE PENALTY FOR THE PURCHASE OR POSSESSION OF TOBACCO PRODUCTS; PROVIDING FOR AN EFFECTIVE DATE; DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE, OKLAHOMA:

Section I: Chapter 10, Section 10-1003 and the references in Section 1-111C of the Cherokee Municipal Code 2021 are hereby repealed as follows:

SECTION 1-111 SCHEDULE OF FEES AND CHARGES CREATED; SCHEDULE OF BONDS AND DINES, COSTS, FEES AND ASSESSMENTS.

C. The following shall be the bond schedule as of the adoption of the Cherokee Municipal Code ("CMC):

Minor in Possession of Tobacco	\$100.00	CAC	\$ 10-1003
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~~SECTION 10-1003 RECEIPT OF TOBACCO PRODUCTS AND VAPOR PRODUCTS BY MINORS.~~

~~A. It is unlawful for any person who is under eighteen (18) years of age to purchase, receive, or have in his or her possession a tobacco product, or vapor product, or to present or offer to any person any purported proof of age which is false or fraudulent for the purpose of purchasing or receiving any tobacco product or vapor products. It shall not be unlawful for an employee under age eighteen (18) years of age to handle tobacco products or vapor products when required in the performance of the employee's duties.~~

~~B. When a person is convicted or enters a plea and receives a continued sentence for a violation of subsection A of this section, the total of any fines, fees, or costs shall not exceed the following:~~

- ~~1. One Hundred Dollars (\$100.00) for a first offense; and~~

~~2. Two Hundred Dollars (\$200.00) for a second or subsequent offense within a one year period following the first offense.~~

Section II. EFFECTIVE DATE. This ordinance shall first become effective on November 1, 2022.

Section III. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect in order to comply with a recent Oklahoma Legislature enactment; By reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

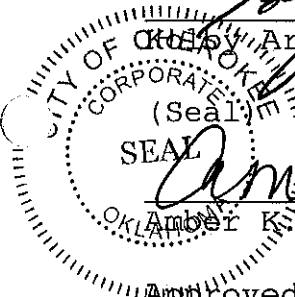
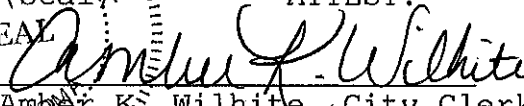
Approved and executed this 9th day of November ~~October~~ 2022.

THE CITY OF CHEROKEE, OKLAHOMA



Kelly Arnold, Mayor

ATTEST:


SEAL


Amber K. Wilhite, City Clerk

Approved as to Content:



Chad Roach, City Manager

Approved as to Form and Legality:



Bryce S. Kennedy, City Attorney