

**AMENDED ORDINANCE NO. 81**

**AN ORDINANCE TO PROHIBIT MINORS AND SCHOOL AGE CHILDREN  
FROM USE OR POSSESSION OF TOBACCO AND/OR TOBACCO PRODUCTS,  
NICOTINE DISPENSING DEVICES/VAPE PENS AND/OR VAPE JUICE IN THE CITY  
OF D'IBERVILLE, MISSISSIPPI**

**Chapter 19. OFFENSES AND MISCELLANEOUS PROVISIONS**

**Article IV. Tobacco/Vape Products/Products containing Nicotine/Nicotine  
Dispensing Devices**

**Sec. 19-73:**

**a. Definitions.**

- i. Tobacco Products/Vape products/Products Containing Nicotine/Nicotine Dispensing Devices**  
Any substance that contains tobacco, including but not limited to, cigarettes, cigars, pipes, snuff, chewing tobacco, pipe tobacco, smoking tobacco, smokeless tobacco, spit tobacco, tobacco spittle, vape juice or any products containing nicotine or nicotine dispensing devices (with or without vape juice in device)
- ii. Educational Property.** Any public or private school building or bus, public or private school campus, grounds, recreational area, athletic field or other property owned, used or operated by any local school board, school, board of trustees or for directors for the administration of any public or private education institution.
- iii. Minor.** Any person under the age of eighteen (18).
- iv. Use or possession.** The smoking or possession of any tobacco and/or tobacco products, the chewing, oral consumption, spitting, inhaling, or other ingestion of any tobacco and/or tobacco product, or the smoking or possession of vape juice or use or possession of any products containing nicotine, and/or the possession of a nicotine dispensing device. (with or without vape juice in device)
- v. Tobacco-Nicotine/Vape Course.** Any class whose aim would be to deter the use of tobacco, vape products or any other products containing nicotine by showing dangers and penalties of tobacco and vape use.

- b Use of Possession by Minors Prohibited.** No minor shall have in his or her possession or use of any tobacco and/or tobacco products, vape juice/products or products containing nicotine or any nicotine dispensing device within the corporate

limits of the City of D'Iberville.

- c. **Use by Students Prohibited.** No student of any high school, junior high school or elementary school shall use or possess any tobacco and/or tobacco product, any vape juice/products, including nicotine dispensing devices, or any products containing nicotine on any educational property or at any education activity, within the corporate limits of the City of D'Iberville.
- d. **Penalty.** First violation of the ordinance is punishable by a fine not to exceed \$25.00 and parental notification by any Municipal or Justice Court Judge. Second and subsequent violations of this ordinance are punishable by a fine not to exceed \$75.00.
- e. **Conflict.** All ordinances, resolutions, or orders, or portions thereof, in conflict therewith are repealed to the extent of such conflict.
- f. **Effective Date.** This ordinance shall be published and shall become effective and be in force one month from and after its passage as provided by law.

The above and foregoing Ordinance having been introduced in writing by Councilman **Diaz** and having been read by the City Clerk and considered by the City Council section by section, and as a whole, was adopted by the following vote:

AYES: Pelous      Chipley  
Bosarge      Quave  
Diaz      Burdine

NAYS: None

The foregoing Ordinance having received the affirmative vote of a majority of the City Council, the Mayor declare said Ordinance adopted as of this **15<sup>th</sup>** day of March, 2022.

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RUSTY QUAVE, MAYOR

Attested by the Clerk of Council on March 15, 2022.

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JODI WEISE, CITY CLERK