CITY OF MULBERRY, ARKANSAS

ORDINANCE NO. 2021-10

AN ORDINANCE REGULATING THE POSSESSION OF TOBACCO, BY MINORS, REPEALING CONFLICTING ORDINANCES, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Mulberry deems it advisable to update its ordinances regarding the possession of tobacco products by minors within the city in order to protect the safety and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MULBERRY, ARKANSAS, AS FOLLOWS:

SECTION 1: It shall be unlawful for a minor to have in his or her possession any of the following: a cigarette or tobacco product, vapor product, alternative nicotine product, or e-liquid product.

SECTION 2: For purposes of this ordinance a minor is any person under the age of twenty-one (21) excluding persons holding valid military identification indicating that they are currently a member of the United States Armed Forces.

SECTION 3: Any person violating this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars ($100), nor more than five hundred dollars ($500). For second and all subsequent violations of this ordinance in any twelve (12) month period, the minimum fine shall increase by fifty dollars ($50) up to the maximum amount allowed of five hundred dollars ($500). In addition to the punishment provided in this paragraph the court may impose additional conditions that must be satisfied by the minor.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Mulberry, Arkansas, because of the current hazard of tobacco products in the possession of minors within the City of Mulberry and the subsequent health hazards these conditions pose to the citizens. Therefore, an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 21st DAY OF DECEMBER IN THE YEAR 2021.

APPROVED:

GARY D. BAXTER, MAYOR

ATTESTED:

CARLA SOUTHERLAND,
RECORDER/TREASURER