

ORDINANCE NO. 14

Series 2022

AN ORDINANCE AMENDING THE GENERAL OFFENSES OF THE
BRECKENRIDGE TOWN CODE PERTAINING TO THE CONDUCT OF A
MINOR IN POSSESSION OF TOBACCO

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
BRECKENRIDGE, COLORADO:

Section 1. That Section 6-3F-1 entitled "DEFINITIONS:" be amended by adding the
language underlined and placed in alphabetical order in the list as follows:

CIGARETTE, TOBACCO PRODUCT, OR NICOTINE PRODUCT: has the same meaning as
provided in Section 4-5-4 of Title 4 of the Town of Breckenridge Code.

Section 2. That Section 6-3F-12 entitled "FURNISHING TOBACCO PRODUCTS TO
MINORS PROHIBITED:" be amended to read as follows:

6-3F-12: FURNISHING CIGARETTE, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS TO
MINORS PROHIBITED:

A. 1. A person shall not give, sell, distribute, dispense, or offer for sale a cigarette, tobacco
product, or nicotine product to any person who is under twenty one (21) years of age.

2. Before giving, selling, distributing, dispensing, or offering to sell to any individual any
tobacco product a person shall request from the individual and examine a government issued
photographic identification that establishes that the individual is twenty one (21) years of age or
older.

B. A person who violates this section commits an infraction and, upon an entry of judgment
for such violation, shall be punished by a fine of two hundred dollars (\$200.00).

C. It is an affirmative defense to a prosecution under this section if the person furnishing the
cigarette, tobacco product, or nicotine product was presented with and reasonably relied upon a
government-issued photographic identification that identified the individual receiving the
cigarette, tobacco product, or nicotine product as being twenty-one years of age or older.

Section 3. That Section 6-3F-13 entitled "POSSESSION OF TOBACCO PRODUCT BY
MINORS PROHIBITED:" is hereby repealed.

Section 4. The Town Council hereby finds, determines and declares that this ordinance
is necessary and proper to provide for the safety, preserve the health, promote the prosperity,
and improve the order, comfort and convenience of the Town of Breckenridge and the
inhabitants thereof.

Section 5. The Town Council hereby finds, determines and declares that it has the
power to adopt this ordinance pursuant to the authority granted to home rule municipalities by
Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town
Charter.

Section 6. This ordinance shall be published and become effective as provided by
Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 26th day of April, 2022.

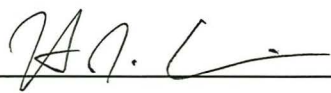
This ordinance was published in full on the Town of Breckenridge website on April 29, April 30, May 1, May 2 and May 3, 2022.

A public hearing on this ordinance was held on May 10, 2022.

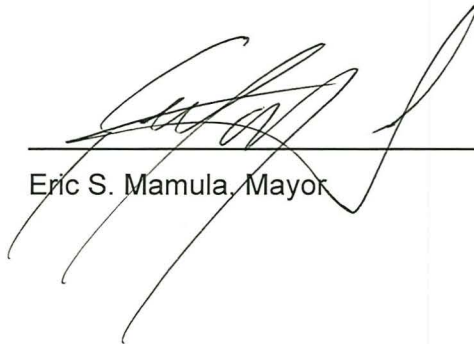
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 10th day of May, 2022. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE




Helen Cospolich, CMC, Town Clerk



Eric S. Mamula, Mayor

APPROVED IN FORM

 5.26.22

Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on May 13, May 14, May 15, May 16 and May 17, 2022. This ordinance shall become effective on June 16, 2022.