

CITY OF ST. JOHNS

ORDINANCE NO. 708

AN ORDINANCE TO ADD SECTION 138.02 AND ADOPT THE OFFENSES OF MINOR IN POSSESSION TOBACCO PRODUCTS, FURNISHING TOBACCO TO A MINOR, USE OF FRAUDULENT IDENTIFICATION BY A MINOR, AND FURNISHING FALSE IDENTIFICATION TO A MINOR

THE CITY OF ST. JOHNS ORDAINS:

Section 1. Amendment to Title XIII: General Offenses, Chapter 138: Minors. The City amends Title XIII: General Offenses, Chapter 138: Minors by adding Section 138.02 to read as follows:

“138.02 Use, purchase, or possession of tobacco products; selling, giving, or furnishing tobacco product by minors; misrepresentation of age, fraudulent identification prohibited.

(A) It shall be unlawful for any person under twenty-one (21) years of age to:

- (1) Purchase or attempt to purchase tobacco products;
- (2) Possess or attempt to possess tobacco products; or
- (3) Use a tobacco product in a public place;

(B) It shall be unlawful for any person to sell, give, or furnish a tobacco product to any person under twenty-one (21) years of age.

(C) It shall be unlawful for any person to misrepresent his or her age for the purpose of purchasing, possessing, or attempting to possess tobacco products;

(D) It shall be unlawful for any person under twenty-one (21) years of age to use fraudulent identification for the purpose of purchasing, possessing, or attempting to possess tobacco products;

(E) It shall be unlawful for any person to furnish false or fraudulent identification to any person under twenty-one (21) years of age for the purpose of purchasing, possessing, or attempting to possess tobacco products;

(F) An individual who violates subsection (A) shall be responsible for a civil infraction, punishable by a fine of fifty dollars (\$50.00);

(G) An individual who violates subsections (B), (C), (D), or (E) is guilty of a misdemeanor punishable by a fine of fifty dollars (\$50.00) for each violation.

(H) As used in this section, 'tobacco products' shall mean a product that contains tobacco and is intended for human consumption, including, but not limited to, cigarettes, non-cigarette smoking tobacco, cigars, or smokeless tobacco.

(I) As used in this section, 'smokeless tobacco' shall mean snuff, snus, chewing tobacco, moist snuff, and any other tobacco that is intended to be used or consumed, whether chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested, by any means other than smoking or combustion."

State Law reference— MCL 722.641, MCL 722.642

Section 2. Validity and Severability

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. Repealer

Any ordinances or parts of ordinances in conflict herewith are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date

This Ordinance shall become effective twenty (20) days after final approval is published in a newspaper of general circulation within the City.

YEAS: Hufnagel, Gurski, Dzurka, DeLiso

NAYS: Hyzer

ABSTAIN: None

ABSENT: None

CERTIFICATION As the duly elected Mayor and Clerk of the City of St. Johns, Clinton County, Michigan, we certify that this is a true and complete copy of an ordinance adopted by the St. Johns City Commission at a regular meeting held on December 8, 2025.

Scott Dzurka, Mayor

Mindy J. Seavey, Clerk