

1 ORDINANCE NO. 2019-071

Late Filing

2
3 SPONSORS Ms. Prentice, Mr. Dickinson

4
5 DATE April 15, 2019

COMMITTEE Committee of the Whole

6
7 **An Ordinance amending Section 537.14 of the Codified Ordinances of the County of**
8 **Summit, entitled “Illegal Distribution of Cigarettes, Electronic Smoking Devices, Tobacco**
9 **Products, or Tobacco Product Paraphernalia,” to prohibit the sale of cigarettes, electronic**
10 **smoking devices, tobacco products or tobacco product paraphernalia to individuals under**
11 **the age of twenty-one, for the Council, and declaring an emergency.**

12
13 WHEREAS, tobacco use is the leading cause of preventable death in the U.S., resulting
14 in approximately 480,000 deaths a year, or one in five of all deaths in the U.S.; and

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16 WHEREAS, more than 16 million Americans live with a disease caused by smoking,
17 resulting in direct medical costs of about \$170 billion annually, with total economic costs of
18 more than \$300 billion annually; and

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20 WHEREAS, if current rates of youth tobacco use continue, 5.6 million Americans
21 currently under the age of 18 are expected to die from smoking; and

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23 WHEREAS, tobacco use contributes to many of Ohio and Summit County’s greatest
24 health challenges, including cardiovascular disease, cancer, and infant mortality; and

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26 WHEREAS, according to 2014 data, in Summit County, pregnant women under the age
27 of 21 smoke at a rate that is 70% higher than their older counterparts and 23.7% of pregnant
28 women in Summit County age 18 to 21 smoked while pregnant; and

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30 WHEREAS, research shows that increasing the tobacco sales age to 21 across the U.S.
31 could result in 249,000 fewer premature deaths, 286,000 fewer pre-term births, and 438,000
32 fewer babies with low birth weight; and

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34 WHEREAS, studies show that young people who are addicted to nicotine are seven times
35 more likely to suffer from a drug use disorder, and that individuals who have never used tobacco
36 by age 21 are unlikely to ever start smoking; and

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38 WHEREAS, 75% of adults support raising the tobacco sales age to 21, including 70% of
39 smokers, and five states and more than 270 U.S. cities have already done so; and

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41 WHEREAS, military leaders are supportive of raising the tobacco age to 21 due to
42 tobacco’s negative impact on military readiness; and

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44 WHEREAS, this Council seeks to promote the health and well-being of all its citizens;
45 and

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47 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
48 that it is necessary and in the best interest of the County to amend Section 537.14 of the Codified
49 Ordinances of the County of Summit, entitled “Illegal Distribution of Cigarettes, Electronic
50 Smoking Devices, Tobacco Products, or Tobacco Product Paraphernalia,” to prohibit the sale of
51 cigarettes, electronic smoking devices, tobacco products or tobacco product paraphernalia to
52 individuals under the age of twenty-one.

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2 PAGE TWO

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4 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
5 of Ohio, that:

6
7 SECTION 1

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9 Effective July 1, 2019, Section 537.14 of the Codified Ordinances of the County of
10 Summit, entitled "Illegal Distribution of Cigarettes, Electronic Smoking Devices, Tobacco
11 Products, or Tobacco Product Paraphernalia," is hereby amended as set forth on Exhibit A,
12 attached hereto and incorporated herein by reference.

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14 SECTION 2

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16 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
17 welfare of the residents of the County of Summit, and for the further reason that it will
18 immediately, upon the effective date, prohibit the sale of cigarettes, electronic smoking devices,
19 tobacco products or tobacco product paraphernalia to persons under the age of twenty-one in
20 order to improve the health of those individuals.

21
22 SECTION 3

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24 Provided this Ordinance receives the affirmative vote of eight members, it shall take
25 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
26 effect and be in force at the earliest time provided by law.

27
28 SECTION 4

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30 It is found and determined that all formal actions of this Council concerning and relating
31 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
32 deliberations of this Council and of any of its committees that resulted in such formal action,
33 were in meetings open to the public, in compliance with all legal requirements, including Section
34 121.22 of the Ohio Revised Code.

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37 INTRODUCED February 11, 2019

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39 ADOPTED April 15, 2019

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41 
42 CLERK OF COUNCIL

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45 PRESIDENT OF COUNCIL

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47 APPROVED April 16, 2019

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49 
50 EXECUTIVE

ENACTED EFFECTIVE April 16, 2019

Roll Call Vote: 8-3 - YES; Dickinson, Donofrio, Feeman, Hamilton,
McKenney, Prentice, Walters, Wilhite
NO: Koehler, Rodgers, Schmidt