

ORDINANCE 3313

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO
SUPPLYING TOBACCO TO MINORS.

Be it ordained by the City Council of the
City of Kirkland as follows:

Section 1. There is hereby created a new
section to be known as Section 11.44.055 and to
read as follows:

11.44.055 Supplying tobacco to.

It is unlawful for any person
to sell, give, or otherwise supply
or permit any agent or employee to
sell, give or otherwise supply to
any person (hereinafter referred to
as "purchaser") under the age of 18
years, any cigar, cigarette, or
tobacco in any form, without first
having requested and examined
identification provided by the
potential purchaser that positively
established that said purchaser is
not less than eighteen (18) years
old. In the event that the person
or an agent or employee thereof
fails to request and examine said
identification and the purchaser
was, in fact, less than eighteen
(18) years old at the time such
failure occurs, such person, agent
or employee shall be deemed to have
had no conclusive basis for
determining that a tobacco product
sale could lawfully be made to such
purchaser. Any person who violates
or fails to comply with the
provisions herein is guilty of a
gross misdemeanor.

Section 2. There is hereby created a new
section to be known as Section 11.44.010 and to
read as follows:

11.44.010 Proof of Age.

Any of the following
officially issued forms of
identification, if not visibly

altered and if bearing thereon the cardholder's signature, birth date, and photograph, shall be sufficient proof of age for the purposes of this chapter:

i. A liquor control authority card of identification issued by any state of the United States of America or a Province of Canada;

ii. A driver's license, instruction permit, or identification card issued by any state of the United States of America or a Province of Canada;

iii. A United States active duty military identification card;

iv. A passport from any nation admitted to the United Nations.

v. A Merchant Marine identification card issued by the United States Coast Guard; or


vi. An "identocard" issued by the Washington State Department of Licensing pursuant to RCW 46.20.117.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, part, or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this ordinance.

Section 4. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.


Passed by majority vote of the Kirkland City Council in regular, open meeting this 21st day of April, 1992.

Signed in authentication thereof this 21st
day of April, 1992.



MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

O-R\tobacco\jtg:nmw