

Lake County Code of Ordinances Tobacco Sales Proposed Amendments

Language is proposed to be added to two sections as follows:

§ 177.06 ENFORCEMENT.

(A) *Duties of the Lake County Sheriff.* The Lake County Sheriff or his or her designee(s) shall be responsible for the enforcement of this chapter. They shall conduct random, unannounced inspections at locations where tobacco products are sold, including tobacco vending machines, within the unincorporated areas of Lake County to ensure compliance with this chapter.

(B) *Responsibility for agent or employee.* Any act constituting a violation of this chapter by an agent or employee of any person shall be deemed and held to be the act of the person, and that person shall be punishable in the same manner as if the act had been done personally by that person.

(C) The Lake County Sheriff's Office, at its discretion, may cite violations of this chapter either through a notice to appear before the 19th Judicial Circuit Court or through administrative adjudication pursuant to the Lake County Administrative Adjudication Ordinance (§§94.50 – 94.66).

~~(C)~~(D) *Injunctive relief.* In addition to or in lieu of any other remedies provided in this chapter, the county may commence an action to enjoin, remove, or abate any violation of this chapter in the manner provided by law and to restrain or enjoin any person from operating in violation of this chapter.

§ 177.99 PENALTY.

(A) *Penalty.* Any person, including a licensee, who violates any provision of this chapter shall be ~~fined an amount not to exceed \$250 for a first offense, and \$500 for a second offense or subsequent offense~~ subject to fines as set forth below:

(1) Lake County Sheriff's Office Citation filed in Circuit Court. If the Ordinance violation is cited for enforcement before the 19th Judicial Circuit, the fine amount shall be an amount not to exceed \$250 for a first offense, and \$500 for a second offense or subsequent offense.

(2) Lake County Administrative Adjudication Citation of Violation. If the Ordinance violation is cited for enforcement through the Lake County Administrative Adjudication Process, the minimum fine amount shall be \$115.00 for each violation.

(B) *Separate Offenses.* Each instance in which this chapter is violated shall constitute a separate and distinct offense.