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VIA EMAIL

Mayor Bryan K. Barnett
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: *E-Cigarettes Ordinance*

Dear Mayor Barnett:

I have prepared and attach a revised draft of the proposed E-Cigarettes ordinance wherein I attempt to address concerns raised at the last City Council meeting about penalties. In this revised draft, I have inserted provisions in Section 70-402(a) making it a municipal civil infraction, punishable by a \$50 fine per violation, to sell, furnish or offer for sale an e-cigarette to a minor. Similarly, subsection 70-402(b) will make it a \$50 municipal civil infraction for a minor to purchase, possess or use an e-cigarette.

For your information, under current state law it is a misdemeanor punishable by a \$50 fine per incident to sell, give or furnish a tobacco product to a minor. MCL 722.641(1). It is also a misdemeanor punishable by a \$50 fine (plus probation) for a minor to purchase, attempt to purchase, possess, or to use in a public place a tobacco product, or to use fake identification for the purpose of attempting to buy a tobacco product. MCL 722.642.

Similarly, under the pending House Bill 4997 and Senate Bills 667 and 668, possession or use of an e-cigarette by a minor will be a \$50 misdemeanor, and sale or furnishing of an e-cigarette to a minor will also be a \$50 misdemeanor violation.

Very truly yours,


John D. Staran

JDS/ijd
Enclosure