

**BOROUGH OF HILLSDALE  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO. 15-18  
(Defeated)**

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**AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 363 OF THE REVISED GENERAL CODE OF  
BOROUGH OF HILLSDALE ENTITLED "TOBACCO  
SALES" TO INCLUDE ALL TYPES OF TOBACCO  
PRODUCTS**

WHEREAS, the General Code of the Borough of Hillsdale, Chapter 363 provides for Tobacco Sales; and

WHEREAS, said Code states tobacco/cigarettes shall not be sold to any person under the age of 19; and

WHEREAS, the Mayor and Council of the Borough of Hillsdale desire to amend the products to include tobacco in any form, including smokeless tobacco, cigarette paper, and electronic smoking devices.

**BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:**

Chapter 363-1 shall be amended to read as follows:

- A. It shall be unlawful to sell any cigarettes made of tobacco or of any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco, or any electronic smoking devices that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to, an electronic cigarette, cigar, cigarillo or pipe, or any cartridge or other component of the device or related product to a person under 21 years of age.
- B. Sign Requirements. The following six-inch by eight-inch sign shall be posted in a conspicuous place near each cash register in all retail establishments which sell tobacco products:  
"SALE OF TOBACCO PRODUCTS TO ANY PERSON UNDER THE AGE OF 21 IS PROHIBITED BY LAW. Legal proof of age must be shown. A person who sells or offers to sell a product to a person under 21 years of age may be prosecuted in accordance with state and local ordinances."

Chapter 363-2 shall be amended to read as follows:

It shall be unlawful for a tobacco/cigarette retailer to sell or permit to be sold cigarettes or other tobacco products to any individual without requesting and examining identification from the purchaser positively establishing the purchaser's age as 21 years or greater, unless the seller has some other conclusive basis for determining the buyer is over the age of 21 years.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

<b>Council member</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>	<b>Recuse</b>
DeGise, Jason							
DeRosa, Anthony							
Looes, Chrisoula							
Meyerson, Lawrence							
Pizzella, Frank							
Ruocco, John							
Arnowitz, Max							

Adopted: November 10, 2015

Attest: \_\_\_\_\_  
Susan Witkowski  
Municipal Clerk

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Max Arnowitz  
Mayor