

RECORD OF ORDINANCES

Ordinance No. 2018-30Passed May 2, 2018

(1) As used in this section:

AGE VERIFICATION. A service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is ~~18~~ 21 years of age or older.

ALTERNATIVE NICOTINE PRODUCT.

1. Subject to division 2. of this definition, an electronic cigarette or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving, or inhaling.

2. The phrase does not include any of the following:

- a. Any cigarette or other tobacco product;
- b. Any product that is a “drug” as that term is defined in 21 U.S.C. §321(g)(1);
- c. Any product that is a “device” as that term is defined in 21 U.S.C. § 321(h);
- d. Any product that is a “combination product” as described in 21 U.S.C. § 353(g).

CHILD. Has the same meaning as in RC. § 2151.011.

CIGARETTE. Includes clove cigarettes and hand—rolled cigarettes.

DISTRIBUTE. Means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

ELECTRONIC CIGARETTE.

1. Subject to division 2. of this definition, any electronic product or device that produces a vapor that delivers nicotine or any other substance to the person inhaling from the device to simulate smoking and that is likely to be offered to or purchased by consumers as an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe.

2. The phrase does not include any item, product, or device described in division 2, of the definition for “alternative nicotine product” in this section.