



COMPLIANCE MONITORING OF THE TOBACCO RETAIL LICENSING PROGRAM



TOBACCO RETAIL LICENSING PROGRAM EXCEPTIONS



The Tobacco Retail Licensing Program is not intended to penalize:

- The provision of tobacco products to any person as part of a noncommercial Native American practice or a lawfully recognized religious or spiritual ceremony or practice or
- The purchase, use or possession of a tobacco product by any person under the legal age to purchase tobacco. Laws prohibiting the possession, use, and purchase of tobacco products by minors disproportionately impact youth of color and youth from lower-income communities.*

* ChangeLab Solutions. PUP in Smoke: Why Youth Tobacco Possession and Use Penalties are Ineffective and Inequitable. April 2019.

PENALTIES ASSOCIATED WITH VIOLATING THE TOBACCO RETAIL LICENSING ORDINANCE



1st Violation: License suspended for 30 days



2nd Violation (within any 5-year period): License suspended for 60 days



3rd Violation (within any 5-year period): License suspended for 90 days



4th+ Violation (within any 5-year period): License revoked

The County may pursue any additional remedy for violation of the Tobacco Retail Licensing Ordinance including, but not limited to, administrative civil penalties. Any violation of the Tobacco Retail Licensing Ordinance may also be deemed a public nuisance and may be enforced by any remedy available for abatement of public nuisances.

APPEALING A TRL SUSPENSION OR REVOCATION



1st Appeal Hearing:

The retailer has the right to a hearing to contest the suspension or revocation of the license.

- If the retailer fails to request the hearing within 21 days of the date of the notice, the applicant waives all rights to appeal.

2nd Appeal Hearing:

The retailer has the right to contest the outcome of the first appeal.

- The retailer can only request the second appeal if they appear at and complete the first appeal hearing.
- The appeal request must be received within 15 days of the date of the first appeal hearing's decision.