

QUESTIONS & ANSWERS

The State already outlaws tobacco sales to minors, so why is the City also regulating this?

The City's licensing requirements provide for proactive enforcement of state, federal and county laws related to tobacco sales to minors, and call for suspension or revocation of the license if there are violations.

Who needs a tobacco retailer license?

Any individual or establishment selling tobacco products, such as gas stations and convenience, liquor, grocery or discount stores, must obtain a City license before doing so.

What are "tobacco products?"

This includes any substance containing tobacco leaf, such as cigarettes, cigars, pipe tobacco, snuff and chewing tobacco.

Where is it legal to sell tobacco?

Licenses will only be issued to businesses with fixed locations in the City. It is illegal to sell from vehicles or other "itinerant" places

such as mobile food vans, catering trucks, ice cream wagons or swap meet stalls.

It is also illegal to sell tobacco products at any location that is licensed by the State to serve alcoholic beverages for consumption on the premises, such as bars and restaurants serving alcoholic beverages.

What are the application and license requirements?

There are minimal application requirements, such as name, mailing address, telephone number and sales location.

Licenses will be issued to all applicants unless:

- *The application is incomplete or inaccurate.*
- *The application is for sales by a person or location where a suspension is in effect.*
- *The proposed location is in an area that is in violation of City zoning or other local, state or federal laws.*

If I have more than one store, does each one need its own license?

Yes, each individual store requires its own license.

Who issues City tobacco retailer licenses?

These are issued by the Chief of Police. However, applications and renewals are processed by the Customer Services Division of the Department of Finance & Information Technology.

How do I apply for a tobacco retailer license?

Applications are available from Customer Services at City Hall, 990 Palm Street, San Luis Obispo. They are also available upon request via phone, fax or email:

Phone: (805) 781-7124

Fax: (805) 781-7401

Email: ar@slocity.org

What is the license fee?

There is an annual fee of \$255 per license to cover the cost of administration and enforcement.

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Where do I display my license?

A license should be prominently displayed at every location where tobacco retailing occurs.

What are the penalties for not having a license?

Violation of the City's licensing requirement is a misdemeanor. In addition to the criminal penalties associated with a conviction, retail sales of tobacco without a license will be fined at \$100 per day.

What are the grounds for suspending or revoking my tobacco retailer license?

Tobacco licenses can be suspended or revoked if a retailer violates any state, federal, or county law related to tobacco within a five-year period as follows:

First Violation

30-day suspension

Second Violation

90-day suspension

Third Violation

One-year suspension

Fourth Violation

License revocation

FOR MORE INFORMATION

Applications, renewals and fees for a tobacco retailer license:

City of San Luis Obispo
Customer Services
990 Palm Street
San Luis Obispo, CA 93401
(805) 781-7124
Email: ar@slocity.org

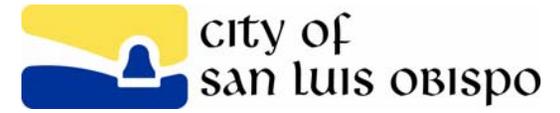
Full copies of the ordinance are available upon request.

Tobacco retailer license enforcement programs:

City of San Luis Obispo
Police Department
1042 Walnut Street
San Luis Obispo, CA 93401
(805) 781-7321
Email: tobacco@slocity.org

Specific information on local, state and federal laws regarding tobacco:

San Luis Obispo County
Public Health Department
Tobacco Control Program
2995 McMillan Avenue, Suite 282
San Luis Obispo, CA 93401
(805) 781-5564
Email: nosmoke@co.slo.ca.us



Tobacco Retailer Licensing

On September 3, 2003, the City adopted Ordinance 1440 (Chapter 8.14 of the Municipal Code), which requires that all tobacco retailers obtain a valid license from the City.

The goal of this ordinance is to discourage violation of laws that prohibit the sale of tobacco products to minors.

This flyer answers "frequently asked questions" about the City's tobacco retailer licensing requirements.

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