# City of Pinole Tobacco Retail Information





## Information about:

- Tobacco products that can't be sold and those permitted
- License information
- Quick Pinole municipal code (PMC) references

In 2019 the Pinole City Council passed an ordiance regulating the sale of tobacco products for the health and safety of the community. Section 9.30 discribes what retailers are allowed to sell and what is prohibited within the City. Please look at the City of Pinole's website for a link to the Pinole Municpal Code to find section 9.30.

### **DEFINITIONS**

Tobacco Products – Any substance containing tobacco, including e-cigarettes.

Tobacco Retailer – Any person who sells, offers for sale, or exchanges or offers to exchange any form of consideration, tobacco, tobacco products or tobacco paraphernalia.

# RETAILER LICENSE & APPLICATION

A retailer, individual or entity who desires to sell tobacco within the City of Pinole will need to first submit an application to the Planning Department located at City Hall. The application shall have the following information:

- The name, address and phone number of the business owner and manager;
- The business name and phone number of each establishment where tobacco is to be sold;
- Other such information as the City Manager determines necessary.

Upon receipt of a completed application for a tobacco retailers license, including payment of the license fee, and completion of an inspection of the premises (if required), the City Manager shall issue a license. The license shall be displayed where the tobacco products are being sold.

A tobacco retailer's license is not transferable.

If the licensee is found to be in violation of the PMC, the tobacco retail license could be suspended for up to 1 year, followed by a fine.

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### MINIMUM PACK SIZE FOR CIGARS

Tobacco retailers are not allowed to sell, offer for sale, or exchange for any form of consideration the following:

- Any single cigar, whether or not packed for individual sale;
- Any number of cigars fewer than the number contained in the manufactures original packaging;
- Any package of cigars at a price that is less than \$10 per 5 cigars, including taxes.

These restrictions apply to cigars, cigarillos and any other cigar product regardless of the terminology used for the product.



All tobacco products offered for sale are to be in a locked case, or in an area not accessible to the public.

### PROHIBITED TOBACCO

In 2018, the FDA, in an effort to curb youth vaping, put forth new restrictions forbidding the sale of products in all flavors except mint, menthol and tobacco in California stores where minors can shop. The City of Pinole decided to help the FDA protect the youth by also prohibiting the sale of flavored tobacco products, such as flavored vapes, flavored cigars and flavored cigarettes. Currently, only menthol flavored cigarettes can be sold within the City, but that may also soon change.





Need additional information? contact the City of Pinole Planning Department 510-724-8912

Need to file a complaint? contact City of Pinole Code Enforcement 510-724-CODE(2633)