

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

INTRODUCTION

In 2019 the Pinole City Council passed an ordinance regulating the sale of tobacco products for the health and safety of the community. Section 9.30 describes 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 Municipal 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.

ISSUANCE & DISPLAY OF LICENSE

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.

City of Pinole
2131 Pear Street • Pinole, CA 94564
Phone (510) 724-9008 • Fax (510) 724-9826
Building (Outside City Licensed Contractor)
Phone (510) 724-4912 • Fax (510) 724-4921

BUSINESS LICENSE APPLICATION

CHECK ONE:
 New Application
 Pinole Business
 Commercial location
 Home Based Business
 Rental property
 Licensed Contractor Outside City limits
 Business outside City limits
 Transfer of Ownership
 Application for Exemption

BUSINESS INFORMATION

Business Name: _____ Start Date: _____
 Business Location (Not a P.O. Box): _____
 City: _____ State: _____ Zip: _____
 Mailing Address (if different): _____
 City: _____ State: _____ Zip: _____
 Phone (____) _____ Fax (____) _____ Email: _____

Description of Business: _____
 Business Type: Sole Ownership Partnership Cooperative Limited Liability Corp. Non-Profit
 Federal Tax ID No. _____ Sales Tax ID No. _____ Social Security No. _____
 All primary business SIC Codes _____
 Provide one: State Water Resources Control Board WDE/WDID application No./NONANED _____
 Contractors State License No. _____ Expiration Date _____ Type _____
 Worker's Comp Policy No. _____ Issuer _____ Exp. Date _____

Owner's Name _____ Phone No. _____
 Home Address _____
 Street _____ City _____ State _____ Zip _____
 Owner's Name _____ Phone No. _____
 Home Address _____
 Street _____ City _____ State _____ Zip _____

Owner's Signature _____ Date _____
 I declare, under penalty of perjury, that the information submitted on this application is true and correct.

Property Owner's Name _____ Property Owner's signature _____
 Address _____ Phone _____
 I hereby declare that I am the property owner, or property owner's representative, of the real property involved in this application and I hereby consent the filing of this application.

FOR CITY USE ONLY
 Amount Paid \$ _____ Check/Receipt # _____ Business License # _____
 Date _____ Zoning District _____ Planning Manager Approval _____
 I hereby certify that the type of Business the applicant proposes to conduct at this address is in conformance with applicable zoning regulations.
 Date _____ Building Inspector Approval _____
 Date _____ Fire Department Approval _____
 We hereby certify that NO OTHER DEPARTMENTS of State Law or City Ordinance exist on the Business premises which would endanger Public Safety, Health or Welfare.

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 manufacturer's 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)