City of Duluth

411 West First Street
Duluth, Minnesota 55802

Legislation Details (With Text)

File #:	18-001-O	**Name:**	
Type:	Ordinance	**Status:**	Passed
File created:	12/21/2017	**In control:**	Planning and Economic Development
On agenda:	1/22/2018	**Final action:**	2/12/2018
Enactment date:	2/12/2018	**Enactment #:**	10555
Title:	ORDINANCE AMENDING CHAPTER 11 OF THE DULUTH CITY CODE TO RESTRICT THE SALE OF FLAVORED TOBACCO PRODUCTS TO ADULT ONLY SMOKE SHOPS.		
Sponsors:	Barb Russ, Zack Filipovich		
Indexes:			
Code sections:			
Attachments:			

Date	Ver.	Action By	Action	Result
2/12/2018	1	City Council	adopted	Pass
1/22/2018	1	City Council	read for the first time	

ORDINANCE AMENDING CHAPTER 11 OF THE DULUTH CITY CODE TO RESTRICT THE SALE OF FLAVORED TOBACCO PRODUCTS TO ADULT ONLY SMOKE SHOPS.

BY COUNCILOR RUSS AND COUNCILOR FILIPOVICH:

The city of Duluth does ordain:

Section 1. That section 11-11 be added to Chapter 11 of the Duluth City Code and read as follows:

Sec. 11-11. Sales of Flavored Tobacco Products Restricted.

(a) No person shall sell, offer for sale or otherwise distribute any flavored tobacco products. This restriction does not apply to retail establishments that:

(1) Prohibit persons under the age of 18 from entering at all times; and

(2) Derive at least ninety percent of their revenues from the sale of tobacco, tobacco-related devices.

(b) Any retail establishment that sells flavored tobacco products must provide upon request financial records that document annual sales.

(c) Flavored tobacco product means any tobacco or tobacco related device that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during consumption or use of the tobacco product or tobacco related devise, including, but not limited to, any taste or smell relating to menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb or spice. A public statement or claim, whether express or implied, made or disseminated by a manufacturer of tobacco or tobacco related devices, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such products, that a product has or produces a taste or smell other than tobacco will constitute presumptive evidence that the product is a flavored tobacco product.

Section 2. That this ordinance shall take effect 120 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance restricts the sale of flavored tobacco products to adult only tobacco shops.

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