Sherburne County
Tobacco Ordinance
ORD - 222

The Sherburne County Board of Commissioners hereby ordains a modified Tobacco Ordinance. This Ordinance defines tobacco, tobacco products, tobacco related devices, and electronic delivery devices as well as other related terms, and it further relates to the issuance of a retail license pertaining to the sale of such items within the unincorporated areas of the County. It sets forth (1) the requirements for license applicants; (2) regulations for all license holders and associates; (3) violations and potential penalties or sanctions; and (4) the appeal process. Furthermore, the Ordinance is intended to reduce the illegal sale, possession, and use of such items to and by minors. This Ordinance is effective January 1, 2018, at which time the prior Tobacco Ordinances 29 and 181 are repealed. This is a summary of the Ordinance. The full Ordinance is on file with the Sherburne County Administrator, 13880 Business Center Drive, Elk River, MN 55330 (M-F; 8-4:30).

This provision was passed by the Sherburne County Board of Commissioners on the 5th day of September, 2017, and duly filed with the Sherburne County Auditor.

Barbara Burandt, County Board Chair

This foregoing instrument was acknowledged before me this 12th day of September, 2017.

Signature of person taking acknowledgement

LYNN M. GEORGE
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2020

Drafted by the Sherburne County
Attorney’s Office
Sherburne County Government Center

FILED
SEP 25 2017
DIANE ARNOLD
County Auditor/Treasurer
An ordinance relating to the sale, possession, and use of tobacco, tobacco products, tobacco related devices, and electronic delivery devices in the County and to reduce the illegal sale, possession, and use of such items to and by minors.

The County Board of Sherburne County Ordains:

Section 100. Purpose. This Ordinance shall be intended to regulate the sale, possession, and use of tobacco, tobacco products, tobacco related devices, and electronic delivery devices for the purpose of enforcing existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, tobacco related devices, and electronic delivery devices and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minnesota Statute 144.391.

Section 200. Definitions and Interpretations. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter, and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have these definitions given to them:

Subd. 1 Compliance Checks. “Compliance checks” shall mean the system the county uses to investigate and ensure that those authorized to sell tobacco, tobacco products, tobacco related devices, and electronic delivery devices are following and complying with the requirements of State law and this Ordinance. Compliance checks shall involve the use of minors as authorized by state law and this Ordinance. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or local laws and regulations relating to tobacco, tobacco products, tobacco related devices, and electronic delivery devices.

Subd. 2 Electronic Delivery Device. “Electronic delivery device” shall mean a product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine, lobelia, or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

Subd. 3 Loosies. “Loosie” shall mean a single or individually packaged cigarette or any other tobacco product that has been removed from its wholesale or distribution packaging and sold
individually.

Subd. 4 Minor. “Minor” shall mean any natural person who has not yet reached the age of eighteen years.

Subd. 5 Moveable Place of Business. “Moveable place of business” shall refer to any form of business operated out of a truck, van, automobile, or other type of motorized or non-motorized vehicle, or transportable shelter, or kiosk, and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Subd. 6 Retail Establishment. “Retail establishment” shall mean any place of business where tobacco, tobacco products, tobacco related devices, or electronic delivery devices are available for sale to the general public. Retail establishments shall include, but not be limited to grocery stores, convenience stores, and restaurants.

Subd. 7 Sale. A “sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

Subd. 8 Self-Service Merchandising. “Self-service merchandising” shall mean open displays of tobacco, tobacco products, tobacco related devices, or electronic delivery devices in any manner where any person shall have access to the tobacco, tobacco products, tobacco related devices, or electronic delivery devices, without the assistance or intervention of the licensee or the licensee’s employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product, tobacco related device, or electronic delivery device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

Subd. 9 Tobacco or Tobacco Products. “Tobacco” or “Tobacco products” shall mean any substance containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to, cigarettes; cigars; pipe tobacco; snuff; snuff flour; fine cut or other chewing tobacco; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed, and other smoking tobacco; snuff flowers; cavendish; shorts; plug and twist tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco and tobacco products excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Subd. 10 Tobacco Related Devices. “Tobacco related devices” shall mean any tobacco product as well as pipe, rolling papers, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco related devices include components of tobacco related devices which may be marketed or sold separately.
Subd. 11 Vending Machine. "Vending Machine" shall mean any mechanical, electric or electronic, or other type of device which dispenses tobacco, tobacco products, tobacco related devices, or electronic delivery devices upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco product, tobacco related device, or electronic delivery device.

Section 300. License. No person shall sell or offer to sell any tobacco, tobacco products, tobacco related device, or electronic delivery device without first having obtained a license to do so from the County, unless located within a city or town that has retained licensing authority under Minnesota Statutes 461.12, Subdivision 1.

Subd. 1 Application. An application for a license to sell tobacco, tobacco products, tobacco related devices, or electronic delivery devices shall be made on a form provided by the County. The application shall contain the full name of the applicant, the applicant’s residential and business addresses and telephone numbers, the name of the business for which the license is sought, authorization to conduct a background check, proof of compliance with Federal child-resistant packaging requires (if applicable), and any additional information the County deems necessary. Upon receipt of a completed application, the County Auditor shall forward the application to the appropriate departments and local board for review and comments and then on to the County Board for action at its next regularly scheduled Board meeting. If the County Auditor determines that an application is incomplete, he or she shall return the application with notice of the information necessary to make the application complete.

Subd. 2 Action. The County Board may either approve or deny the license, or it may delay action for such reasonable period of time as is necessary to complete any investigation of the application or the applicant it deems necessary. If the County Board approves the license, the County Auditor shall notify the applicant and collect the appropriate fee. The County Auditor will then issue the license to the applicant. If the County Board denies the license, the notice of the denial shall be given to the applicant and notice of the applicant’s right to appeal the decision pursuant to the hearing process set forth in Section 1100. If the denial is the result of information gathered by the Sheriff’s Department or County Attorney, that department shall issue a statement of what was found and if/how it could be corrected in order to apply for a license again at a later date. That statement shall be sent to the applicant, along with the notice of denial.

Subd. 3 Term. Licenses issued under this Ordinance are valid for one calendar year from the date of issue beginning July 1st. Licenses may be issued and granted under this Ordinance for a fractional year thereof upon their expiration under another licensing authority, or in the case of a new license application. A license issued for a period of less than one calendar year will expire on June 30th of that year.

Subd. 4 Revocation or Suspension. Any license issued under this Ordinance may be revoked or suspended as provided in the Violations and Penalties section of this Ordinance.

Subd. 5 Transfers. All licenses under this Ordinance shall be valid only on the premises for which the license was issued and only for the person or legal entity to whom the license was
issued. No transfer of any license to another location, person, or legal entity shall be valid without the prior approval of the County Board and processing of a new application.

**Subd. 6 Moveable Place of Business.** No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this Ordinance.

**Subd. 7 Display.** All licenses shall be posted and displayed in plain view of the general public on the licensee's premise.

**Subd. 8 Renewals.** The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty days but no more than sixty days before the expiration of the current license. The issuance of a license issued under this Ordinance shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

**Section 400. Fees.** No license shall be issued under this Ordinance until the appropriate license fee is paid in full. The fee for a license under this Ordinance shall be established by resolution of the County Board.

**Section 500. Basis for Denial of license.** The following shall be grounds for denying the issuance or renewal of a license under this Ordinance; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the County must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section.

A. The applicant is under the age of 18 years.

B. The applicant has been convicted of a crime within the past five years of any violation of a Federal, State or local law, Ordinance provision, or other regulation relating to tobacco, tobacco products, tobacco related devices, or electronic delivery devices.

C. The applicant has had a license to sell tobacco, tobacco products, tobacco related devices, or electronic delivery devices suspended or revoked within the preceding twelve months of the date of application.

D. The applicant fails to provide any information required on the application, or provides false or misleading information.

E. The applicant is prohibited by Federal, State, or other local law, Ordinance, or other regulation from holding such a license.

F. Delinquent property tax remains unpaid on the place of business.

G. The applicant has failed to pay any administrative penalty owed for a violation of this Ordinance. If an appeal of the violation is pending, the penalty must still be paid, but will be held until final resolution of the appeal determines if violation is affirmed or overturned.

H. Failure to attach documentation of compliance with child-resistant packaging, if applicant is selling liquids for use in electronic delivery devices.

**Section 600. Prohibited Sales.** It shall be a violation of this Ordinance for any person to sell or offer to sell any tobacco, tobacco product, tobacco related device, or electronic delivery devices:

A. To any person under the age of eighteen (18) years.

B. By means of any type of vending machine.
C. In violation of Section 700 regarding self-service sales.
D. By means of a kiosk or moveable place of business.
E. By means of loosies as defined in Section 200 of this Ordinance.
F. Containing opium, morphine, jimson weed, bella donna strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.

G. To sell any liquid, whether or not such liquid contains nicotine, that is intended for human consumption and use in an electronic delivery device, that is not contained in packaging that is child-resistant, as defined in 16 C.F.R. 1700.15(b)(1).

H. To sell any tobacco, tobacco products, nicotine, or substance consumed through an electronic delivery device, which has been removed from its original wholesale or distribution packaging, whether or not it has been mixed or adulterated with any other substance.

I. To sell any product that requires a tobacco stamp in packaging that has been altered or tampered with after it was received from the wholesaler or distributer.

J. By any other means, to any other person, or in any other manner or form prohibited by Federal, State, or other local law, Ordinance provision or other regulation.

Section 700. Self-Service Sales.

A. No licensee shall offer for sale any tobacco, tobacco products, tobacco related devices, or electronic delivery devices in open displays which are accessible to the public without the intervention of a store employee.

B. No licensee shall offer for sale cartons and other multipack units through open displays accessible to the public. All tobacco, tobacco products, tobacco related devices, and electronic delivery devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Any retailer selling tobacco, tobacco products, tobacco related devices, or electronic delivery devices at the time this Ordinance is adopted shall comply with this Section within ninety (90) days.

C. The self-service restrictions described in this Section shall not apply to retail establishments which derive at least 90% of their revenue from tobacco and tobacco-related products and where the retailer ensures that no person younger than 18 years of age is present, or permitted to enter, at any time.

Section 800. Responsibility. All licensees under this Ordinance shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products, tobacco related devices, or electronic delivery devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the County from also subjecting the clerk to whatever penalties are appropriate under this Ordinance, State or Federal Law, or other applicable law or regulation.

Section 900. Compliance Checks and Inspections. All licensed premises shall be open to inspection by an authorized county official during regular business hours. From time to time, but at least once per year, the County shall conduct compliance checks by engaging with the written consent of their parents or guardians, minors who are at least the age of fifteen (15) but less than eighteen (18) years, to enter the licensed premise to attempt to purchase tobacco, tobacco
products, tobacco related devices, or electronic delivery devices. Minors used for the purpose of compliance checks shall be trained and supervised by designated county personnel. Minors used for compliance checks shall not be guilty of the unlawful purchase or attempted purchase, nor the unlawful possession of tobacco, tobacco products, tobacco related devices, or electronic delivery devices when such items are obtained or attempted to be obtained as part of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor’s age, and all minors lawfully engaged in a compliance check shall answer all questions about the minor’s age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

Section 1000. Other Illegal Acts. Unless otherwise provided, the following acts shall be a violation of this Ordinance.

Subd. 1 Illegal Sales. It shall be a violation of this Ordinance for any person to sell or otherwise provide any tobacco, tobacco product, tobacco related device, or electronic delivery device to any minor.

Subd. 2 Illegal Possession. It shall be a violation of this Ordinance for any minor to have in his or her possession any tobacco, tobacco product, tobacco related device, or electronic delivery device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 3 Illegal Use. It shall be a violation of this Ordinance for any minor to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, tobacco related device, or electronic delivery device.

Subd. 4 Illegal Procurement. It shall be a violation of this Ordinance for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, tobacco related device, or electronic delivery device, and it shall be a violation of this Ordinance for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain for use any tobacco, tobacco product, tobacco related device, or electronic delivery device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 5 Use of False Identification. It shall be a violation of this Ordinance for any minor to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

Subd. 6 Use of False Information on Application. It shall be a violation of this Ordinance for any applicant to knowingly provide false or misleading information on a Tobacco License Application or Renewal.

Section 1100. Violations.
Subd. 1 Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a notice that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation. If the alleged violator is not the license holder, then the license holder shall also be served with a written notice of the alleged violation either personally or by mail, which informs them of their right to be heard on the accusation. The notice shall advise the recipient that they must submit a request for a hearing to challenge the accusation within 10 days of receipt of the notice.

Subd. 2 Hearings. A person accused of violating this Ordinance may request a hearing on the accusation within 10 days of receipt of the notice of the violation. If a person timely requests a hearing, a hearing shall be scheduled, the time and place of which shall be provided to the person requesting the hearing. The hearing shall be held within 30 days of the date the request for hearing was received, when practicable.

A. The records of the County, any police reports relating to the violation, and all reliable hearsay shall be admissible for consideration by the hearing officer without further foundation.

B. The County may be represented by the Sherburne County Attorney’s Office. The alleged violator may be represented by private legal counsel. The alleged violator does not have the right to an attorney at public expense.

C. At the hearing, both the alleged violator and the County may present the testimony of live witnesses, cross-examine witnesses, and present documentary evidence. The parties may apply to the District Court for subpoenas for hearings.

D. The burden of proof shall be upon the County. The standard of proof shall be a preponderance of the evidence.

Subd. 3 Hearing Officer. The County Board shall appoint a hearing officer.

Subd. 4 Decision. If the hearing officer determines that a violation of this Ordinance did occur, that decision, along with the hearing officer’s reasons for finding a violation and the penalty to be imposed under Section 1200 of this Ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator and the Auditor/Treasurer. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator and the Auditor/Treasurer.

Subd. 5 Appeals. Appeals of any decision made by the hearing officer shall be filed in Sherburne County district court.

Subd. 6 Criminal Prosecution. Nothing in this Section shall prohibit the County from seeking prosecution as a misdemeanor for any alleged violation of this Ordinance, or from seeking prosecution as a gross misdemeanor for a subsequent violation for selling or furnishing tobacco, tobacco products, tobacco related devices, or electronic delivery devices to a minor within five years of a previous conviction for the same or similar offense, or as otherwise allowed by Minnesota State Statutes. If the County elects to seek criminal prosecution, the
action does not prohibit an administrative penalty also being imposed.

Subd. 7. Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate violation.

Section 1200. Penalties.

Subd. 1 Licensees. Any licensee found to have violated this Ordinance, or whose employees shall have violated this Ordinance, shall be charged an administrative fine of $150 for a first violation of this Ordinance; $400 for a second violation at the same licensed premises within a twenty-four month period; and $500 for a third violation at the same licensed premises within a twenty-four month period. In addition, upon a third violation, the license shall be suspended for not less than seven days. For a fourth violation at the same licensed premises, or for the same licensee, within a twenty-four month period, the license shall be revoked for 12 months. No penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and advised of their right to a hearing.

Subd. 2 Other Individuals. Other individuals, other than minors regulated by subdivision 3 of this Section, found to be in violation of this Ordinance may be charged an administrative fee of $150 for a first violation, $400 for a second violation within a twenty-four month period, and $500 for a third or subsequent violation within a twenty-four month period.

Subd. 3 Minors. Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase tobacco, tobacco products, tobacco related devices, or electronic delivery devices may be charged a fine and/or be required to complete tobacco related education classes, diversion programs, community services or other penalty.

Subd. 4 Criminal Prosecution. Nothing in this Section shall prohibit the County from seeking prosecution as a misdemeanor or gross misdemeanor for any violation of State Law or this Ordinance.

Subd. 5 Additional Action. In the event of a violation of this Ordinance, the Board of County Commissioners or any member thereof, in addition to other penalties, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations, and it shall be the duty of the County Attorney to institute such action.

Section 1300. Exception and Defenses. Nothing in this Ordinance shall prevent the providing of tobacco, tobacco products, or tobacco related devices to a minor as part of lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this Ordinance for a person to have reasonably relied on proof of age as described by State Law.

Section 1400. Severability and Savings Clause. If any section or portion of this Ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or affect the validity and enforceability of any other section or provision of this Ordinance.

Section 1500. Effective Date. This amended Ordinance shall take effect on January 1, 2018. Original Ordinance took effect on July 1, 1998, and was first amended on August 1, 2010.
Passed and approved this 5th day of September, 2017.

Barbara Burandt, Chair
Sherburne County Board of Commissioners

Attest: Steve Taylor, Administrator
AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA  ) ss
COUNTY OF SHERBURNE

Charlene Vold being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Star News

with the known office of issue being located in the county of:
SHERBURNE
with additional circulation in the counties of: WRIGHT
and has full knowledge of the facts stated below:
(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
(B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 08/12/2017 and the last insertion being on 08/12/2017.

MORTGAGE FORECLOSURE NOTICES
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: [Signature: Charlene Vold]
Designated Agent

Subscribed and sworn to or affirmed before me on 08/12/2017 by Charlene Vold.

[Signature: Darlene M. MacPherson]
Notary Public

SHERBURNE COUNTY PUBLIC NOTICE
Take Notice: on September 5, 2017, at 9:10 a.m. or as soon thereafter as the matter can be heard, at 13880 Business Ctr. Dr. Elk River, MN (Boardroom), the Sherburne County Board of Commissioners will consider the revocation of Ordinance No. 29 and 181 on retail tobacco licensing and sales and replacement/adoption of an updated ordinance. Changes will include, inter alia, the verification of child resistant packaging, clarifying the application information required, clarifying the process for negative licensing actions, updating definitions and schedule of fines. A copy of the proposed ordinance is available from the Auditor/Treasurer’s Office (address above) M-F (8 to 4:30) or on line at: http://www.co.sherburne.mn.us/county/documents/2017_TobaccoOrdinance.pdf.
Published in the Star News
August 12, 2017
720272

Rate Information:
1) Lowest classified rate paid by commercial users or comparable space:
$23.00 per column inch

Ad ID 720272
AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA ) SS
COUNTY OF SHERBURNE

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Star News

with the known office of issue being located in the county of:
SHERBURNE
with additional circulation in the counties of:
WRIGHT
and has full knowledge of the facts stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.

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MORTGAGE FORECLOSURE NOTICES
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By: Charlene Vold
Designated Agent

Subscribed and sworn to or affirmed before me on 09/16/2017 by Charlene Vold.

Mary Z. Knapp
Notary Public

SHERBURNE COUNTY
TOBACCO ORDINANCE
ORD - 222

The Sherburne County Board of Commissioners hereby ordains a modified Tobacco Ordinance. This Ordinance defines tobacco, tobacco products, tobacco related devices, and electronic delivery devices as well as other related terms, and it further relates to the issuance of a retail license pertaining to the sale of such items within the unincorporated areas of the County. It sets forth (1) the requirements for license applicants; (2) regulations for all license holders and associates; (3) violations and potential penalties or sanctions; and (4) the appeal process. Furthermore, the Ordinance is intended to reduce the illegal sale, possession, and use of such items to and by minors. This Ordinance is effective January 1, 2018, at which time the prior Tobacco Ordinances 29 and 191 are repealed. This is a summary of the Ordinance. The full Ordinance is on file with the Sherburne County Administrator, 13880 Business Center Drive, Elk River, MN 55330 (M-F, 8-430).

This provision was passed by the Sherburne County Board of Commissioners on the 5th day of September, 2017, and duly filed with the Sherburne County Auditor. Barbara Burandt, County Board Chair

This foregoing instrument was acknowledged before me this 12th day of September, 2017.

Lynn M. George
Signature of person taking acknowledgment

Published in the Star News
September 16, 2017
733629

Rate Information:
(1) Lowest classified rate paid by commercial users or comparable space: $23.00 per column inch

Ad ID 733629
Ordinance Abstract

Sherburne County
Tobacco Ordinance
ORD-222

The purpose and intent of this ordinance, adopted on September 5, 2017, and effective January 1, 2018. This Ordinance defines tobacco, tobacco products, tobacco related devices, and electronic delivery devices as well as other related terms, and it further relates to the issuance of a retail license pertaining to the sale of such items within the unincorporated areas of the County. It sets forth (1) the requirements for license applicants; (2) regulations for all license holders and associates; (3) violations and potential penalties or sanctions; and (4) the appeal process. Furthermore, the Ordinance is intended to reduce the illegal sale, possession, and use of such items to and by minors.

HISTORY

ORD-029 (repealed 12/31/2017)
ORD-181 (repealed 12/31/2017)