

On July 12, 2016, the Plumas County Board of Supervisors will consider, and on July 19, 2016, the Plumas County Board of Supervisors will possibly adopt, an ordinance adding a new Chapter 14 to Title 5 of the Plumas County Code, which would require the licensure of tobacco retailers located in unincorporated Plumas County. The following is a summary of the ordinance:

All tobacco retailers must obtain a Tobacco Retailer's License for each location in unincorporated Plumas County. Tobacco retailers must: (i) have all customers appearing to be under the age of thirty provide identification that shows that they are the legally required age prior to purchasing tobacco products; (ii) not allow anyone under the age of 18 to sell tobacco at a retail location unless under the continuous supervision of someone 21 years of age or older who is on the premises; and (iii) prominently display their license in a publicly visible place. No tobacco products may be sold in a vending machine or by other self-service means, nor from a mobile location (for example, from a vehicle). Any retailer who does not have a valid Tobacco Retailer's License may not display tobacco products or paraphernalia, or advertise such products or paraphernalia. A license will be issued after an application is approved and payment of the fee is received. The fee will be set by the Board of Supervisors by resolution, and may not exceed the cost of the regulatory program. Licenses are non-transferable. Licenses are for one-year terms, but may automatically renew for up to four additional one-year terms so long as the retailer maintains compliance with the law. The County may conduct regular inspections of tobacco retailers, and use youth decoys to verify compliance with age restrictions on tobacco sales. A tobacco retailer will be issued a fine of \$500 for a first violation, a suspension of 90 days and a fine of \$1,000 for a second violation, and a suspension of 1 year and a fine of \$1,500 for a third violation. This applies to any violations within a 60 month period. A retailer may appeal a decision by the department to suspend or revoke a license within 10 calendar days of the notice of the action if it is personally served (15 calendar days if notice of the action was mailed). The appeal would be heard by the Plumas County Board of Supervisors and that decision may be reviewed by a court. There are penalties for retailing without a license, including a period of ineligibility to apply for a Tobacco Retailer's License ranging from thirty days to one year. Violations of the ordinance may also be prosecuted by the District Attorney as infractions, misdemeanors, or civil actions. The new regulatory program would become effective on January 1, 2017.

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