

ADOPTED BY THE
MAYOR AND COUNCIL

January 7, 2020

ORDINANCE NO. 11720

RELATING TO BUSINESSES REGULATED; AMENDING ORDINANCE NO. 11703 AND TUCSON CODE, CHAPTER 7, ARTICLE XIX, SECTION 7-428 TO ADOPT A TOBACCO RETAIL LICENSE FEE; AND DECLARING AN EMERGENCY.

WHEREAS, on October 22, 2019 by Ordinance No. 11703, the Mayor and Council repealed and replaced Article XIX in Chapter 7 of the Tucson Code to prohibit the sale of tobacco and nicotine delivery products to persons under twenty-one (21) years of age; established licensing requirements and penalties, and amended the definition of “smoking” in Chapter 11 of the Tucson Code; and

WHEREAS, on September 17, 2019 the Mayor and Council authorized staff to return with authorization for a three hundred dollar (\$300.00) per year tobacco retail license fee.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA AS FOLLOWS:

SECTION 1. Section 2 of Ordinance No. 11703, and specifically Tucson Code, Chapter 7, “Business Regulated,” Article XIX, “Tobacco Retail Establishments,” Section 7-428 is amended by adding a new subsection E. to read as follows:

ARTICLE XIX. TOBACCO RETAIL ESTABLISHMENTS

* * *

Sec. 7-428. Tobacco retailing – Generally.

* * *

E. License application, procedure and fees; annual renewal.

1. Any person, desiring to obtain a tobacco retail license shall apply to the Department. An application for a tobacco retail license shall be filed no later than 90 days from the effective date of this subsection.

2. The applicant for an annual tobacco retail license shall pay an annual license fee of three hundred dollars (\$300.00). All tobacco retail licenses shall expire on December 31 of each calendar year and must be renewed annually. Annual license fees shall only be valid for the location specified in the license application, a separate license being required for each location at which tobacco products are sold.

3. The application fee and license required by this article shall be in addition to any business license and fee which may be required by chapter 19 of the Tucson Code. The granting of a license under this section shall not be deemed evidence or proof that the licensee has complied with the requirements and provisions of chapter 19 of the Tucson Code.

* * *

SECTION 2. The various City officers and employees are hereby authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 3. Whereas, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this Ordinance become immediately

...

...

effective, an emergency is hereby declared to exist and Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, January 7, 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:

CITY MANAGER

CA/dg
1/2/20