

AN ORDINANCE LICENSING AND REGULATING THE RETAIL SALE OF CIGARETTES, CIGARETTE PAPERS, AND CIGARETTE WRAPPERS, AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

- 1404.01 License Required.
No person, firm, or corporation shall directly or indirectly, or by means of any device keep for retail sale, sell at retail, or otherwise dispose of any cigarette, cigarette paper, or cigarette wrapper at any place in the City of Oak Park Heights, unless a license therefor shall first have been obtained as provided in this Ordinance.
- 1404.02 Application and Issuance.
Application for such license shall be made to the City Clerk on a form supplied by the City. The application shall state the full name and address of the applicant, the location of the building and the part thereof to be used by the applicant under the license, the kind of business conducted at such location, and such other information as shall be required by the application form. The completed application shall be presented to the City Council for its consideration and, if granted by the Council, a license shall be issued by the City Clerk upon payment of the required fee.
- 1404.03 License Fee.
The fee for every license shall be as established by Council resolution, from time to time. Every license shall expire on December 31st next after its issuance. For any license issued after January 31 in any year, the fee shall be prorated for each month, or fractional part of a month, covered by the license. Licenses shall not be transferable from one person to another.
- 1404.04 License Shall be Displayed.
Every license shall be kept conspicuously posted at the location for which the license is issued and shall be exhibited to any person upon request.
- 1404.05 Restrictions.
A. No license shall be issued except to a person of good moral character.
B. No license shall be issued to an applicant for the sale of cigarettes at any place other than his established place of business. No license shall be issued for the sale of cigarettes at a movable place of business, nor shall any one license be issued for the sale of cigarettes at more than one place of business.

- C. No cigarettes shall be sold to any person not entitled to purchase the same under State law.

1404.06 Revocation.

Every such license may be revoked by the Council for a violation of any provision of this Ordinance if the licensee has been given a reasonable notice and an opportunity to be heard.

1404.07 Penalty.

Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding Seven Hundred Dollars (\$700.00) or by imprisonment for a period not exceeding ninety (90) days, or both.