



City of Santa Maria
Recreation & Parks
Department



Retail Tobacco Sales Information



Do's and Don'ts



Do - Obtain & display required licenses (state, city business license and city tobacco retail license).

Retailers of cigarettes and tobacco products in California (as defined in section 22971 of the Business and Professions Code) must possess and prominently display a state Cigarette and Tobacco Products Retailer's License (Business and Professions Code, section 22972). For information on obtaining a state Retailers License please visit the California Department of Tax and Fee Administration website.

California Department of Tax and Fee Administration:

<https://www.cdtfa.ca.gov/services/permits-licenses.htm>

All Tobacco retailers within the Santa Maria city limits must also possess and prominently display a valid Tobacco Retailers License issued by the City of Santa Maria pursuant to SMMC 6-13. License applications may be obtained at www.cityofsantamaria.org. License applications are accepted by the Recreation and Parks Department located at 615 S. McClelland Street, Santa Maria, California, 93454



Do - Follow Federal, State and local laws when retailing tobacco products (including the STAKE ACT).

Tobacco retailers must follow all federal, state and local laws concerning the sale of tobacco products including the STAKE Act (Stop Tobacco Access to Kids Enforcement) which specifies who retailers can sell tobacco to in California (Business and Professions Code, section 22950). For more information about the STAKE Act including education and training resources please visit the California Department of Public Health (Tobacco Control Branch) or the Tobacco Education Clearinghouse of California (TECC).



California Department of Public Health - Tobacco Control Branch (CTCB):

<https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/Pages/Welcome.aspx>

Tobacco Education Clearinghouse of California (TECC): <https://www.tecc.org/>



The Sale of Tobacco Products or Electronic Smoking Devices to Persons Under 21 is Prohibited



Don't - Sell tobacco products to persons underage (21)

Every person, firm, or corporation that knowingly or under circumstances in which it has knowledge, or should otherwise have grounds for knowledge, sells, gives, or in any way furnishes to another person who is under 21 years of age any tobacco, cigarette, or cigarette papers, or blunt wraps, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, tobacco products, or any controlled substance, is subject to either a criminal action for a misdemeanor or a civil action brought by a city attorney, a county counsel, or a district attorney, punishable by a fine of two hundred dollars (\$200) for the first offense, five hundred dollars (\$500) for the second offense, and one thousand dollars (\$1,000) for the third offense. California Penal Code, section 308.



City of Santa Maria
Recreation & Parks
Department



Retail Tobacco Sales Information



Do's and Don'ts



Don't - Sell flavored tobacco.

A tobacco retailer, or any of the tobacco retailer's agents or employees, shall not sell, offer for sale, or possess with the intent to sell or offer for sale, a flavored tobacco product or a tobacco product flavor enhancer. Health and Safety Code, section 104559.5, SMMC 6-13.11.



Do - Familiarize yourself and your employees with the City of Santa Maria ordinance on Tobacco Retailing (SMMC 6-13).

- Tobacco sales to persons under 21 are prohibited.
- No sales to persons that appear under age 25 without first checking ID.
- Persons under the age of 18 cannot engage in tobacco retail sales.
- No tobacco sales from self-service displays.
- No tobacco sales from a pharmacy.
- No tobacco license will be granted for sales within 300 feet of a youth populated area.
- No tobacco license will be granted for sales within 500 feet of another tobacco retail location already licensed.
- Tobacco retailers shall prominently display the full retail price of all tobacco products.
- No tobacco products may be sold at less than full retail price.
- Certain products (cigars) must be sold in minimum packages of 5 or more.
- Cigarettes must not be sold for less than \$7.00 per package.
- The sale of flavored tobacco products is prohibited.
- Mobile sales of tobacco are prohibited.

