This guide was created to assist tobacco retailers operating in the City of Palmdale to avoid common compliance violations, and to alleviate the likelihood of future issues.

If there are violations of these codes, the City Council may suspend or revoke your tobacco/smoking product retail permit under PMC 5.04.280 through 5.04.300.

<table>
<thead>
<tr>
<th>CITY OF PALMDALE TOBACCO CITATION BAIL SCHEDULE</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>5.04.100</td>
<td>Failure to post City permits in a conspicuous place in place of business</td>
</tr>
<tr>
<td>5.04.670(B)(2)</td>
<td>Operating as a tobacco / smoking product retailer without tobacco permit (never applied)</td>
</tr>
<tr>
<td>5.04.670(D)(4)</td>
<td>Non-transferrable permit / incorrect physical address</td>
</tr>
<tr>
<td>5.04.670(D)(6)</td>
<td>Operating without a valid tobacco permit (expired permit)</td>
</tr>
<tr>
<td>5.04.670(D)(8)</td>
<td>Possess valid Business License</td>
</tr>
<tr>
<td>5.04.670(H)(3)</td>
<td>No drug paraphernalia is or will be sold</td>
</tr>
<tr>
<td>5.04.670(H)(4)</td>
<td>Intent to/Sale of flavored E-Cigarette Products</td>
</tr>
<tr>
<td>5.04.670(E)</td>
<td>Positive identification required – Failure to check ID (appears &gt;27 yrs. old)</td>
</tr>
<tr>
<td>5.04.670(F)</td>
<td>Minimum age to sell tobacco products (21 years old)</td>
</tr>
<tr>
<td>5.04.670(H)(2)</td>
<td>Self-service display is prohibited – No “vending machine”</td>
</tr>
<tr>
<td>5.04.670(H)(6)</td>
<td>Failure to allow City official to conduct unscheduled inspections of the premises</td>
</tr>
<tr>
<td>5.04.670(B)(3)</td>
<td>Foot traffic / vehicle sales – Tobacco must be sold from a fixed location</td>
</tr>
<tr>
<td>5.04.670(B)(5)</td>
<td>No sale of alcohol / food for consumption by guests on premises</td>
</tr>
<tr>
<td>17.92.150(F)</td>
<td>Records of successful completion of tobacco retailing training shall be maintained</td>
</tr>
<tr>
<td>17.92.150(E)(8)</td>
<td>Litter and trash receptacles located inside / outside – daily removal</td>
</tr>
<tr>
<td>17.92.150(E)(9)</td>
<td>Exterior maintained free of litter and graffiti at all times (24 hours removal)</td>
</tr>
<tr>
<td>17.92.150(E)(12)</td>
<td>“We ID everyone under 27 years of age for tobacco sales” sign posted – interior</td>
</tr>
<tr>
<td>17.92.150(E)(5)</td>
<td>Sale outside of original manufacture packaging – no “single sale”</td>
</tr>
<tr>
<td>5.04.670(H)</td>
<td>Permittee/employees must comply with state, federal and local laws</td>
</tr>
<tr>
<td>8.34.100</td>
<td>No Smoking Sign Posted</td>
</tr>
</tbody>
</table>

STATE & FEDERAL LAWS/REGULATIONS. The following are some, but not all, of the requirements:

- Failure to display STAKE Act notice
- No tobacco advertisements / billboards within 1,000’ of school or playground
- Unlawful to advertise for blunt wrap within 2’ of candy, snack or nonalcoholic beverage
- Unlawful to place any blunt wrap advertisement less than 4’ from the ground
- Refusal / neglect to retain at least 1 year of invoices made available to requesting agency
- Possession / sale of unstamped cigarettes or untaxed tobacco products
- Sale of tobacco without a valid license or after suspension or revocation

DISCLAIMER: The information provided in this brochure is published in good faith and for general information purposes only. The common violations listed in this brochure are not an all-inclusive list. The tobacco owner/permit holder holds full liability and responsibility to be in compliance with all local, state and federal laws. The City of Palmdale does not endorse any websites contained in this brochure.

For questions regarding tobacco compliance, please contact:

Tobacco Division:
661/267-5313
38250 Sierra Highway, 2nd Floor
Palmdale, CA 93550
TobaccoCompliance@cityofpalmdale.org
Hours: Monday-Thursday, 7:30 am-6 pm
Closed Friday.

for Tobacco Retailers doing business in the City of Palmdale
The violations listed below are common compliance issues.

PMC 5.04.670(H)(3)
You can’t sell drug paraphernalia.
Examples of prohibited items:

PMC 17.92.150(E)(12)
We ID Under 27 for Tobacco Sales
This sign must be posted inside the store. It can be purchased online at www.wecard.org.

PMC 8.34.100
No Smoking Sign Posted
Every owner, operator or person having control of a building or workplace where smoking is regulated by this chapter shall conspicuously post or cause to be posted in every such building or workplace “smoking” or “no smoking” signs, as applicable, with individual letters of not less than three inches in height, or with the international no smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it).

PMC 5.04.670(H)(4)
Intent to/Sale of Flavored E-Cigarette Products
Retailers are prohibited from selling flavored electronic cigarette products.

PMC 17.92.150(F)
Proper documentation of Tobacco Training
If you sell tobacco, smoking products or tobacco/smoking paraphernalia you must pass a responsible tobacco retailing training class. The training must be completed within 60 days of assuming the position that involves selling tobacco or smoking products or tobacco/smoking paraphernalia. You must also repeat/pass the training once every three years.

PMC 17.92.150(E)(5)
No “single sales” – sale outside of the manufacturer’s original packaging
Cigarettes must be sold in the manufacturer’s original packaging with all required health warnings, no exceptions.

PMC 5.04.670(H)
Failure to display STAKE Act notice
These signs must be posted inside the store. They can be purchased at www.tecc.org, search for T21 Materials or www.cdph.ca.gov, search for Tobacco 21.

Helpful Online Resources

Local Resources
City of Palmdale
www.cityofpalmdale.org
Palmdale Municipal Code
www.codepublishing.com/CA/Palmdale

State Resources
Business & Professions Code
leginfo.legislature.ca.gov, click the “California Law” tab, then “Business & Professions Code.”
California Dept. of Public Health:
• Stop Tobacco Access to Kids Enforcement (STAKE)
  www.cdph.ca.gov, search for “STAKE Act”
• California Tobacco 21 Law
  www.cdph.ca.gov, search for “Tobacco 21”
Tobacco Education Clearinghouse of California
www.tecc.org

Federal Resources
U.S. Drug Administration
www.fda.gov/TobaccoProducts
Bureau of Alcohol, Tobacco, Firearms and Explosives
www.atf.gov/alcohol-tobacco