

Coventry

Chapter 222 Tobacco Dealers

[HISTORY: Adopted by the Town Council of the Town of Coventry 3-26-2001 by Ord. No. 1-01-0223 (Ch. 8, Art. VIII A, of the 1991 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Drugs and intoxicants — See Ch. [118](#).

Licensed businesses — See Ch. [153](#).

Peace and good order — See Ch. [180](#).

222.1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMPLIANCE CHECK VIOLATION

Any sale of tobacco products to and/or by a person who is less than 18 years of age.

TOBACCO PRODUCTS

Any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.

VENDING MACHINES

Any mechanical, electric or electronic self-service device which, upon insertion of money, tokens, or any other form of payment, dispenses tobacco products.

222.2 License required; fine for violations.

It shall be unlawful to sell or offer for sale, to give away, deliver or to keep with the intention of selling, giving away or delivering tobacco products within the Town of Coventry without having first obtained a tobacco dealer's license pursuant to this chapter. Such license shall be in addition to any other license required by state and/or federal law. Failure to obtain a license shall result in a fine of \$300.

222.3 License application, issuance and term.

A.

Application for a Coventry tobacco dealer's license shall be made in writing to the office of the Coventry Town Clerk.

B.

Application for a tobacco dealer's license shall be issued administratively by the Town Clerk for a term of five years. All tobacco dealer's licenses shall expire together on the last day of August and shall not be issued for more than 60 months. All retailers holding valid state tobacco licenses upon the adoption date of this chapter shall receive a Coventry tobacco dealer's license and no fee shall be required. Any individual, corporation, partnership, retailer, or any other organization shall obtain a valid state tobacco license prior to approval for a Coventry tobacco

dealer's license.

222.4 Prohibited conduct.

A person who holds a license issued under this chapter, or any employee or agent of same, is prohibited from selling, distributing, or delivering any tobacco products to any individual who is under 18 years of age, whether said tobacco is sold, distributed, or delivered in person or via vending machine.

222.5 Suspension or revocation of license; fines and costs.

A.

The Coventry Police Department shall enforce this chapter. All tobacco dealer's license holders shall be subject to a compliance check at least twice a year, with violators being checked more frequently until two consecutive checks are completed without a violation.

B.

If an alleged violation occurs, the Coventry Police Department shall issue a citation that will require the tobacco dealer's license holder to appear in Coventry Municipal Court. If, after a hearing, it has been proven by a preponderance of the evidence that a violation is found to have occurred, the Coventry Municipal Court may impose a fine of \$300 for the first offense, \$300 for the second offense, \$300 together with a fifteen-day suspension of the tobacco dealer's license for the third offense, \$300 together with a sixty-day suspension of the tobacco dealer's license for the fourth offense, and \$300 together with a ninety-day suspension of the tobacco dealer's license for the fifth offense. For the sixth offense, the tobacco dealer's license shall be revoked. If a holder of a tobacco dealer's license maintains said license for 48 consecutive months without a violation, any new violation will be treated as the first offense. In addition to all fines, the Coventry Municipal Court may impose court costs. All fine money, with the exception of court costs, shall be placed in a separate account to be used by the Coventry Police Department for the purpose of conducting tobacco compliance checks.

222.6 Use of premises during license suspension.

During the period of any suspension of a tobacco dealer's license, the holder of the tobacco dealer's license shall remove all tobacco products from the shelves and secure them in a locked area for the duration of the suspension. If, at any time during the suspension period, the license holder is found to be selling, distributing, or delivering any tobacco products, the license shall be revoked.

222.7 Vending machines.

Businesses which have vending machines shall be subject to the same fines and penalties as described in § [222-5](#) of this chapter. Suspension of a tobacco dealer's license shall result in the vending machine being removed from the licensed location for the suspended period. Revocation will result in the permanent removal of the vending machine from the licensed location.

Article 11 Park Regulations 175-3 – 175-8

175-5 Use of facilities

Prohibition of smoking in athletic and recreational facilities.

(1)

Definitions. The following terms shall have the meanings indicated:

ATHLETIC OR RECREATIONAL FACILITIES OWNED BY THE TOWN OF COVENTRY

Any athletic or recreational facility including, but not limited to, any playing field, ballfield, basketball court, tennis court, soccer field or playground which is owned or operated by the Town of Coventry.

YOUTH EVENT

Any scheduled game, match, practice or the like in which any participant is under the age of 18 years.

(2)

Use of tobacco prohibited. Smoking and other uses of tobacco products are hereby prohibited at any athletic or recreational facility owned by the Town of Coventry during youth events.

(3)

Penalty. Any person violating this subsection may be ejected from athletic or recreational facilities owned by the Town and/or may be fined not more than \$100.