



Fact Sheet

Department of Public Health and Environment
14949 62nd Street North • PO Box 6 • Stillwater MN 55082-0006
651-430-6655 • TTY 651-430-6246
Equal Employment Opportunity/Affirmative Action

Selling Tobacco in Washington County

A Fact Sheet for Employers & Their Employees

Selling tobacco is serious business. As a tobacco vendor, there are some facts you need to know.

All cities in the County either have their own youth access to tobacco ordinance or they are governed by Washington County Ordinance #133 and #135. The goal of the ordinance is to reduce tobacco use by teenagers, thereby decreasing death and health care costs associated with tobacco use. There is also a State law which sets minimum standards for the sale of tobacco. County tobacco ordinances may be more restrictive than the State law.

The following are specific areas within the ordinance that governs Washington County:

- This ordinance regulates the sale, possession and use of tobacco in cities and townships which do not have their own ordinance. The cities and townships under the County ordinance are:
 - Baytown Township
 - Denmark Township
 - Grant City
 - Lake Elmo
 - Mahtomedi
 - May Township
 - New Scandia Township
 - Willernie

If you are not sure in which area your business is located, contact the Department of Public Health & Environment at 651-430-6655.

- The **license fee** for selling tobacco in Washington County is **\$262** per year. License renewal notices are sent out in December of every year. Licenses are non-transferable. A **seasonal license** is available for vendors that are open no more than seven (7) months of the year; **\$189** per year. The fee covers these services provided by Washington County:
 - consultations
 - on-site visits
 - two compliance checks per year
 - education and training materials for employees
- The ordinance includes a total ban on self-service of tobacco. Customers may not have access to tobacco, tobacco products or tobacco related devices without having to request the item from an

employee. The ordinance requires tobacco products to be stored behind the counter, in a case or other storage unit, or in another area not freely accessible to the general public.

- Vending machines are allowed in areas that are specified as adult only. This means a minor may not enter the facility at any time. In addition, the vending machine must be equipped with a locking device, must be visible at all times to the licensee or employees and the licensee or employee must check the identity and age of patrons wanting to buy tobacco from the machine. It is recommended that signs be posted at entrances warning patrons of the vending machine on the premises. Signs are available from the Department of Public Health & Environment at 651-430-6655.
- Twice a year the Washington County Sheriff's Department will conduct unannounced compliance checks. These compliance checks are done by minors over 15 who will attempt to purchase tobacco, accompanied by an authorized a Sheriff's Deputy. You will be notified immediately of the results. Employees under the age of 16 are prohibited from selling tobacco and tobacco related products.
- In the event there is an illegal sale of tobacco or tobacco products to a person under the age of eighteen (18), there will be an administrative fine imposed. The fines for a licensee are \$200 for the first violation of the ordinance, \$400 for the second offense within a 24-month period and \$600 for a third offense with 24 months. In addition, after the third offense, the license shall be suspended for not less than thirty (30) days. After the fourth offense within 24 months, the license shall be revoked. The administrative fine for the clerk selling the tobacco is \$50.
- Upon the receipt of your license application and fee payment, Department staff will conduct an inspection of your facility to determine if you are in compliance with the ordinance. If you are in compliance, you will be issued a current tobacco license. If you are not in compliance, the staff will explain changes that must be made within a specified time frame.
- Employee training on selling tobacco is offered by your local Police Department or other private company. Since selling tobacco to minors is a serious offense, you are encouraged to offer your employees training on how to look at identification, how to calculate birthdays and how to spot a fake identification.
- If you encounter minors smoking at your place of business, please call and report the incident to your local Police Department or the Department of Public Health & Environment. We are your partner in preventing youth from smoking. If there is anything we can do to assist you in complying with the Washington County Youth Tobacco Ordinance, please contact us at 651-430-6655.

Signs and materials available through the Department of Public Health & Environment:

- Brochure for underage teens: "What Happens If You Get Caught Smoking in Washington County".
- Signs:
 - "You must be 18 or older to possess or use tobacco products. We support and enforce Federal, State and local laws prohibiting the possession and/or use of tobacco products by anyone under 18."
 - "Anyone under 18 years of age is prohibited from entering this establishment. Tobacco vending machine on premise"
- We Card Kits: Employee training materials for businesses.

If you have any questions regarding the license application process or for a copy of the Washington County Youth Access to Tobacco Ordinance #133 and #135, call the Department of Public Health & Environment at 651-430-6655 or email to PHE@co.washington.mn.us.