SUBTITLE 6
FLAVORED TOBACCO WRAPPINGS

§ 12-601. Definitions.

(a) In general

In this subtitle, the following terms have the meanings indicated.

(b) Distribute.

"Distribute" means to:

(1) sell, deliver, dispense, issue, transfer, or otherwise distribute;

(2) offer to sell, deliver, dispense, issue, transfer, or otherwise distribute; or

(3) cause or hire any person to:

(i) sell, deliver, dispense, issue, transfer, or otherwise distribute; or

(ii) offer to sell, deliver, dispense, issue, transfer or otherwise distribute.

(c) Flavored tobacco wrapping.

"Flavored tobacco wrapping" means any cigarette rolling paper or tobacco wrapping leaf or paper constituted from tobacco that is, or is held out to be, impregnated or scented with, or aged or dipped in, or has as a constituent part (including a smoke constituent) or additive, an artificial or natural flavor, alcoholic liquor, or an herb or spice, including strawberry, grape, orange, clove, cinnamon, pineapple, coconut, licorice, cocoa, cherry, coffee, chocolate, vanilla, honey, or any other flavoring agent that is a characterizing flavor of the tobacco product or the tobacco smoke.

(Ord. 09-234.)

§ 12-602. Distribution prohibited

No person may distribute for consideration any flavored tobacco wrapping to any other person.

(Ord. 09-234.)

§ 12-603. Exception for certain tobacco shops.

This subtitle does not apply to the distribution of flavored wrapping paper by or to a retail tobacco establishment that:

(1) derives at least 75% of its revenues, measured by average daily receipts, from the sale of non-cigarette tobacco products;

(2) maintains for sale an inventory of loose tobacco products; and
§ 12-604. Exception for vending machine sales.

This subtitle does not apply to the sale or distribution of tobacco products by vending machines.

(Ord. 09-234.)

§ 12-605. {Reserved}

§ 12-606. Enforcement by citation.

(a) In general.

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of:

(1) an environmental citation as authorized by City Code Article 1, Subtitle 40 {“Environmental Control Board”}; or

(2) a civil citation as authorized by City Code Article 1, Subtitle 41 {“Civil Citations”}.

(b) Process not exclusive.

The issuance of a citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 09-234.)

§ 12-607. Penalties: $1,000.

(a) In general.

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than $1,000 for each offense.

(b) Each wrapper a separate offense.

Each individual wrapping distributed in violation of this subtitle is a separate offense.

(Ord. 09-234; Ord. 10-340.)