Chapter 127, SMOKING AND TOBACCO PRODUCTS

[HISTORY: Adopted by the Board of County Commissioners of Charles County 5-1-2006 by Bill No. 2006-05. Amendments noted where applicable.]

ARTICLE I, Tobacco Products

§ 127-1. Purpose.

The Board of County Commissioners of Charles County finds and declares that tobacco products are a hazard to the health of the general public, especially youth, and that tobacco products should be made accessible at retail places only through the intervention of the retail seller or seller's employees.


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

RETAIL SELLER -- The owner or proprietor of a business establishment.

TOBACCONIST ESTABLISHMENT -- A retail store utilized primarily for the sale of tobacco products and accessories in which the sale of other products is merely incidental.

TOBACCO PRODUCT -- Any substance containing tobacco, including cigarettes, cigars, smoking tobacco, snuff, or smokeless tobacco.


A retail seller of tobacco products shall not display or store the product in any place that is accessible to buyers of the product without the intervention of the seller or an employee of the seller. Violation of the provisions of this article shall be a civil infraction subject to the penalties provided herein.

§ 127-4. Exceptions.

This section does not apply to:

A. The sale of any tobacco product from a vending machine that complies with all requirements of state law; or

B. A tobacconist establishment.
§ 127-5. Enforcement.

A. Any person who desires to report an alleged violation of this article may file a written complaint with the Charles County Department of Health. Upon receipt of a complaint, representatives of the Charles County Department of Health shall inspect the premises and document their findings.

B. If, during routine inspections of retail establishments covered by this subsection, any state or county agency finds that the requirements of this article are not being met, they shall report such noncompliance to the Charles County Department of Health.

C. Written warnings and civil citations for violations of this article shall be issued by representatives of the Charles County Department of Health in accordance with the procedures and requirements pertaining to civil infractions set forth in Article 25B § 13C, Annotated Code of Maryland, as the same may be amended from time to time.

§ 127-6. Violations and penalties.

Any person who violates any provision of this article shall be guilty of a civil infraction and shall be punished as follows:

A. For the first and second violation, upon a written acknowledgment of the violation by the retail seller, representatives of the Charles County Department of Health shall provide information concerning the requirements of this subsection and issue a written warning. A subsequent violation shall be treated as a first offense.

B. All violations other than those disposed of pursuant to the above subsection shall be punished by a fine in accordance with the following schedule:

(1) For a first offense: $100.

(2) For a second offense: $200.

(3) For a third or subsequent offense: $300.