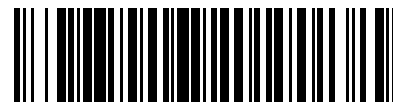




# City of Chicago



**O2017-959**

Office of the City Clerk

## Document Tracking Sheet

|                                 |  |
|---------------------------------|--|
| <b>Meeting Date:</b>            | 2/22/2017  |
| <b>Sponsor(s):</b>              | Burke (14)<br>Thompson (11)  |
| <b>Type:</b>                    | Ordinance  |
| <b>Title:</b>                   | Amendment of Municipal Code Section 4-64-180 authorizing establishment of appeals process for exemption from provisions prohibiting sale of flavored tobacco products at certian locations |
| <b>Committee(s) Assignment:</b> | Committee on Finance   |

ORDINANCE**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 4-64-180 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-64-180 Prohibited locations.**

(a) No person shall sell, give away, barter, exchange, or otherwise deal in tobacco products, tobacco product samples, or tobacco accessories at any place located within 100 feet of any building or other location used primarily as a school, child care facility, or for the education or recreation of children under 18 years of age.

(b) No person shall sell, give away, barter, exchange, or otherwise deal in flavored tobacco products, samples of such products, or accessories for such products at any location that has a property line within 500 feet of the property line of any public, private, or parochial secondary school located in the City of Chicago. This subsection does not apply to retail tobacco stores. For purposes of this subsection, "retail tobacco store" has the meaning ascribed to the term in Section 7-32-010.

(c) After December 31, 2016, the Commissioner of Business Affairs and Consumer Protection shall not issue any new retail tobacco license at any location that has a property line within 500 feet of the property line of any public, private, or parochial secondary school located in the City of Chicago. The prohibition of this subsection (c) shall not apply to (i) renewals of licenses existing as of December 31, 2016, or (ii) applications for a new retail tobacco license pursuant to a purchase of a retail tobacco business at a location that holds such a license on or after December 31, 2016.

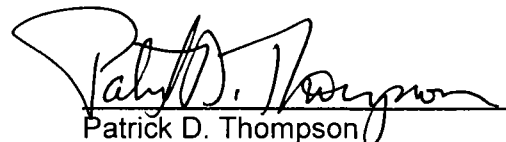
(d) The ~~commissioner~~ Commissioner of ~~business affairs~~ Business Affairs and ~~consumer protection~~ Consumer Protection and the ~~commissioner~~ Commissioner of ~~health~~ Health are each authorized to promulgate any rules necessary to enforce this section.

(e) The Commissioner of Business Affairs and Consumer Protection may promulgate rules to set up an appeals process to consider exemption from the provisions of subsection (b). The grant of an appeal shall not exempt the applicant from any other requirement associated with its tobacco license.

**SECTION 2.** This ordinance shall be in full force and effect upon passage and publication.



Edward M. Burke  
Alderman, 14<sup>th</sup> Ward



Patrick D. Thompson  
Alderman, 11<sup>th</sup> Ward