



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

---

File #: SO2014-4233, Version: 1

---

### SUBSTITUTE ORDINANCE

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-64-110 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

#### **4-64-110 License - Application - Investigation - License issuance or renewal prohibited when.**

a) Application. An application for a retail tobacco dealer's license and a tobacco product sampler's license shall be made in conformity with the general requirements of this Code relating to applications for licenses. In addition to the requirements set forth in Section 4-4-050, if the applicant for a license under this Article II sells, offers for sale, exposes for sale or displays tobacco accessories on the licensed premises, or intends to engage in any such activity on the licensed premises, such application shall be accompanied by the following information:

- 1) (i) the percentage of total shelf space at the licensed location that is or is anticipated to be used to display tobacco accessories; and (ii) the percentage of total sales that is or is anticipated to be derived from the sale of tobacco accessories at the licensed location; and
- 2) a statement as to whether, within five years of the date of application or renewal, the applicant or any controlling person has ever been convicted, in custody, under parole, or under any other non-custodial supervision resulting from a conviction in a court of competent jurisdiction of a felony of whatever degree under the Illinois Drug Paraphernalia Control Act or its equivalent in another jurisdiction.

b) Investigation required. The commissioner of business affairs and consumer protection shall cause an investigation to be made of the character and the reputation of the applicant, or whether said applicant is a proper person to be entrusted with the sale of cigarettes, and of whether the premises named in said application comply with the provisions of this Code applicable to said business, including the requirement as to location.

(c) License issuance and renewal prohibited when. If an applicant for a retail tobacco dealer's license sells, offers for sale, exposes for sale or displays tobacco accessories on the licensed premises, or intends to engage in such activity on the licensed premises, no retail tobacco license to engage in such activity shall be issued to such person if, within five years of the date of application or renewal, the applicant or any controlling person has ever been convicted, in custody, under parole, or under any other non-custodial supervision resulting from a conviction in a court of competent jurisdiction of a felony of whatever degree under the Illinois Drug Paraphernalia Control Act or its equivalent in another jurisdiction.

SECTION 2. Article II of Chapter 4-64 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-64-145, underscored as follows:

**4-64-145 Drug Paraphernalia - Prohibited.**

It shall be unlawful for any licensee under Article II of this chapter to violate the Illinois Drug Paraphernalia Control Act. A single violation of this section may result in license suspension or revocation in accordance with Section 4-4-280 of this Code.

SECTION 3. This ordinance shall take full force and effect ten days after its passage and publication.

02014-4233

Chicago, June 25, 2014

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration a substitute ordinance introduced by Alderman Thomas Tunney (which was referred on May 28, 2014), to amend Section 4-64 of the Municipal Code of Chicago regarding tobacco dealer license requirements, begs leave to recommend that Your Honorable Body pass the substitute ordinance which is transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee on June 18, 2014. !

Respectfully submitted,

CHAIRMAN, COMMITTEE ON LICENSE AND  
CONSUMER PROTECTION