



Legislation Text

File #: 18-0312, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Bullock

A Bill Entitled

An Ordinance concerning

Required Retail Tobacco Health Warnings and Smoking Cessation Information

For the purpose of requiring the Health Commissioner to create and distribute to retailers of tobacco products signs that contain certain tobacco health warnings and smoking cessation information; requiring retailers of tobacco products to prominently place the signs distributed by the Health Commissioner in their places of business; providing for a special effective date; and imposing certain civil penalties for violations.

By adding

Article - Health

Section(s) 12-901 through 12-902, inclusive, to be under the new subtitle designation

“Subtitle 9. Retail Tobacco Health Warnings and Smoking Cessation Information”

Baltimore City Revised Code

(Edition 2000)

By repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-14(e)(7)(Title 12) and 41-14(6)(Title 12)

Baltimore City Code

(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article - Health

Title 12. Tobacco Products

Subtitle 9. Retail Tobacco Health Warnings and Smoking Cessation Information

§ 12-901. Signage required.

(a) *Commissioner to create and distribute signs.*

The Commissioner is responsible for creating and distributing to City retailers of tobacco products signs that:

- (1) include information about the adverse health effects of tobacco use and how to get help to quit; and
- (2) are a minimum of 324 square inches and no more than 1296 square inches.

(b) *Posting of signs.*

A retailer of tobacco products in Baltimore City must prominently display the sign required by this subtitle:

- (1) at the front of the store so that the sign can be read easily by each consumer entering the store; and
- (2) so that the bottom of the sign is no less than 4 feet from the floor and the top of the sign is no more than 7 feet from the floor.

§ 12-902. Enforcement by citation.

(a) *In general.*

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

- (1) an environmental citation as authorized by the City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or
- (2) a civil citation as authorized by the 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.

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) *Provisions and penalties enumerated.*

(7) *Health Code*

Title 12: Tobacco Products and Smoking Devices

...

Subtitle 9: Retail tobacco health warnings \$500

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies - Listing.

(6) Health Code

Title 12: Tobacco Products and Smoking Devices

...

Subtitle 9: Retail tobacco health warnings \$500

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the 180th day after the date it is enacted.