

1 THE CITY OF CRANSTON

2
3 **ORDINANCE OF THE CITY COUNCIL**

4 IN AMENDMENT OF TITLE 5, CHAPTER 68 OF THE CITY OF CRANSTON CODE OF
5 ORDINANCES, 2005, ENTITLED 'TOBACCO DEALERS'

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8 No.

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10 *Passed:*

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14 _____
Jessica M. Marino, Council President

15 *Approved:*

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Kenneth J. Hopkins, Mayor

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22 *It is ordained by the City Council of the City of Cranston as follows:*

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24 **Section 1. Chapter 5.68 TOBACCO DEALERS** is hereby **Repealed** in its entirety:

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26 [language to be deleted should be struck through]

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28 **Chapter 5.68 TOBACCO DEALERS**

29 **5.68.010 Definitions.**

30 "Compliance check violation" means any sale of tobacco products to and/or by a person who is less than twenty-
31 one (21) years of age.

32 "Electronic smoking device" means an electronic and/or battery operated device, the use of which may
33 resemble smoking, that can be used to deliver an inhaled dose of nicotine or other substances. "Electronic smoking
34 device" includes any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, an
35 electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or
36 descriptor.

37 "Tobacco products" means any substance containing tobacco leaf, including, but not limited to cigarettes, cigars,
38 pipe tobacco, snuff, chewing tobacco, dipping tobacco or rolling papers, and electronic smoking devices.

39 "Vending machines" means any mechanical, electric or electronic self service device which, upon insertion of
40 money, tokens, or any other form of payment, dispenses tobacco products.

41 {Prior code § 16-41}

42 {Ord. No. 2013-37, § 1, 10-28-13; Ord. No. 2022-41, § 1, 12-19-22}

43 **5.68.020 License required.**

44 It shall be unlawful to sell or offer for sale, to give away, deliver or to keep with the intention of selling, giving
45 away or delivering tobacco products within the city without having first obtained a tobacco dealer's license pursuant
46 to this chapter. Such license shall be in addition to any other license required by state and/or federal law. Failure to
47 obtain a license shall result in a fine of two hundred dollars (\$200.00). Fee for the city license shall be one hundred
48 fifty dollars (\$150.00) per year.

49 {Prior code § 16-42}

50 {Ord. No. 2011-25, § 1, 6-27-11; Ord. No. 2013-18, § 1, 6-24-13}

51 **5.68.030 License application.**

52 A Cranston tobacco dealer's license shall be made in writing to the office of the Cranston city clerk.

53 Application for a tobacco dealer's license shall be issued administratively by the city clerk for up to five years. All
54 tobacco dealer's licenses shall expire together on the last day of August and shall not be issued for more than sixty
55 (60) months. All retailers holding valid state tobacco licenses upon the adoption date of the ordinance codified in this
56 chapter shall receive a Cranston dealer's license. Any individual corporation, partnership, retailer, or any other
57 organization shall obtain a valid state tobacco license prior to approval for a Cranston tobacco dealer's license.

58 Any individual, corporation, partnership, retailer, or any other organization denied a Cranston tobacco dealer's
59 license shall have the right to appeal to the Cranston city county safety services committee.

60 {Prior code § 16-43}

61 **5.68.040 Prohibitions applicable to license holders, their employees and agents.**

62 A person who holds a license issued under this chapter, or any employee or agent of same, is prohibited from
63 selling, distributing, or delivering any tobacco product or other items to any individual that is under twenty-one (21)
64 years of age, whether said tobacco is sold, distributed or delivered in person or via vending machine.

65 {Prior code § 16-44}

66 {Ord. No. 2022-41, § 1, 12-19-22}

67 **5.68.050 Suspension or revocation of license—Fines and costs.**

68 The Cranston police department shall enforce this chapter. All tobacco dealer's license holders shall be subject
69 to a compliance check at least twice a year with violators being checked more frequently until two consecutive checks
70 are completed without a violation.

71 If an alleged violation occurs, the Cranston police department shall issue a citation that will require the tobacco
72 dealer's license holder to appear in Cranston municipal court. If, after a hearing, it has been proven by a

73 preponderance of the evidence that a violation is found to have occurred, the Cranston municipal court may impose a
74 fine of five hundred dollars (\$500.00) for the first offense, one thousand dollars (\$1,000.00) for the second offense,
75 one thousand dollars (\$1,000.00) together with a forty five (45) day suspension of the tobacco dealer's license for the
76 third offense, one thousand dollars (\$1,000.00) together with a sixty (60) day suspension of the tobacco dealer's
77 license for the fourth offense, and one thousand dollars (\$1,000.00) together with a ninety (90) day suspension of the
78 tobacco dealer's license for the fifth offense. For the sixth offense, the tobacco dealer's license shall be revoked. If a
79 holder of a tobacco dealer's license maintains said license for thirty six (36) consecutive months without a violation,
80 any new violation will be treated as a first offense. In addition to all fines, the Cranston municipal court may impose
81 court costs. All fine money, with the exception of court costs, shall be placed in a separate account to be used by the
82 Cranston police department for the purpose of conducting tobacco compliance checks.

83 {Prior code § 16-45}

84 **5.68.060 Use of premise during license suspension.**

85 During the period of any suspension of tobacco dealer's license, the holder of the tobacco dealer's license shall
86 remove all tobacco products from the shelves and secure them in a locked area for the duration of the suspension. If,
87 at any time during the suspension period, the license holder is found to be selling, distributing, or delivering any
88 tobacco products, the license shall be revoked.

89 {Prior code § 16-46}

90 **5.68.070 Vending machines.**

91 Businesses which have vending machines shall be subject to the same fines and penalties as described in Section
92 5.68.050 of this chapter. Suspension of a tobacco dealer's license shall result in the vending machine being removed
93 from the licensed location for the suspended period. Revocation will result in the permanent removal of the vending
94 machine from the licensed location.

95 {Prior code § 16-47}

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97 **Section 2.** This ordinance shall take effect upon its final adoption.
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100 Positive Endorsement:

Negative Endorsement: (Attach reasons)

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103 _____
104 City Solicitor Date

105 _____
106 City Solicitor Date

107 Sponsored by Councilwoman Haroian

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109 Referred to Ordinance Committee June 12, 2025

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