



Tobacco Retailer's License Application

Reason for Application (Check One):	<input type="checkbox"/> New license	<input type="checkbox"/> Annual Renewal
	<input type="checkbox"/> Change of Ownership	<input type="checkbox"/> Re-Issuing Revoked or Expired License

BUSINESS INFORMATION

Business Name:	Business Phone #:
Business Location Address:	Business Mailing Address:
Date Opened:	Business E-mail address:
Business Hours of Operation:	Livermore Business License #:
CDTFA Seller's Permit #: <i>Please attach copy of permit</i>	CDTFA Cigarette/Tobacco License #: <i>Please attach copy of permit</i>

LIST ALL OWNERS/OPERATORS OR AUTHORIZED AGENTS *(Attach additional sheets for each owner if necessary)*

#1 Owner/Operator/Authorized Agent Name: _____ Phone #: _____		
Home Address	City	State
		Zip
E-mail address: _____		
Date of Birth: _____	Driver License ID #: _____	Driver License Exp. Date: _____
List all violations, suspensions, or revocations under LMC Chapter 5.50. List any violations of Federal, state, or other local tobacco related laws in the last 5 years. Attach additional pages if needed.		
Date(s): _____	Agency that issued violation: _____	Location(s): _____
#2 Owner/Operator/Authorized Agent Name: _____ Phone #: _____		
Home Address	City	State
		Zip
E-mail address: _____		
Date of Birth: _____	Driver License ID #: _____	Driver License Exp. Date: _____
List all violations, suspensions, or revocations under LMC Chapter 5.50. List any violations of Federal, state, or other local tobacco related laws in the last 5 years. Attach additional pages if needed.		
Date(s): _____	Agency that issued violation: _____	Location(s): _____

A Tobacco License from the City of Livermore is required for the sale and distribution of tobacco products and tobacco paraphernalia. Licensees are mandated to comply with all Federal, State, and Local laws in the operation of their business. By signing this application, each Proprietor has been informed of the Tobacco License performance standards, associated fees, and regulations. **Any location issued a Tobacco License is not allowed to sell tobacco products to any person under the age of 21 years old and must check identification of any person under the age of 27.** Selling tobacco without a license is a serious offense and could result in substantial denial of future Tobacco Retailer's Licenses. Licenses are issued to fixed addresses only and each address requires a separate license. **Each proprietor guarantees that no flavored tobacco product, electronic smoking device (e.g., vaping), electronic smoking device fluid, or drug paraphernalia will be sold at the business per Livermore Municipal Code Chapter 5.50 (see definitions on reverse side).**

I hereby apply for a Tobacco License with the appropriate fees attached to operate at the above listed address in the City of Livermore. I hereby state the information provided in this application is true and correct.

#1 Owner (Printed) _____ #1 Owner (Signature) _____ Date _____

#2 Owner (Printed) _____ #2 Owner (Signature) _____ Date _____

For office use only	Planning Div.:	Approved _____	Denied _____	Date _____
	Police Dept.:	Approved _____	Denied _____	Date _____

PLEASE SEE REVERSE SIDE FOR ADDITIONAL INFORMATION & REQUIRED SIGNATURES

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ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

Livermore Municipal Code (LMC) Section 5.50.100 prohibits the sale, offer for sale, exchange, or offer to exchange any flavored tobacco product, including electronic smoking devices and electronic smoking device fluid.

The following definitions in LMC Section 5.50.020 are applicable to all tobacco retailers:

"Characterizing flavor" means a taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of a tobacco product or any byproduct produced by a tobacco product, including, but not limited to, tastes or aromas relating to menthol, mint, wintergreen, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice.

"Electronic smoking device" means any device or delivery system that can be used to deliver nicotine in aerosolized or vaporized form to a person, as well as any component, part, or accessory for the device that is used during its operation. **"Electronic smoking device"** includes electronic cigarettes as defined in section 30121 of the California Revenue and Taxation Code, and any other device manufactured, distributed, marketed, or sold as an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor, that can be used to deliver nicotine in aerosolized or vaporized form to a person. **"Electronic smoking device"** does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where that product is marketed and sold solely for such approved use.

"Electronic smoking device fluid" means any liquid or substance that can be used by an electronic smoking device.

"Flavored tobacco product" means any tobacco product that imparts a characterizing flavor.

"Tobacco product" means any product containing, made from, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; any electronic smoking device; any electronic smoking device fluid; and, any component, part, or accessory of a tobacco product, whether or not sold separately.

In addition, LMC Chapter 5.50 prohibits the issuance of a new tobacco retailer license, and no existing license may be renewed, within 1,000 feet of a youth populated area except as provided in Section 5.50.050.D.

"Youth populated area" means a parcel that is occupied by a private or public kindergarten, elementary, middle, junior high, or high school, public library, public playground, youth center, public recreation facility, or commercial childcare or preschool facility. Refer to LMC 5.50.020.O for the complete definition.

In LMC section 5.50.050.D, tobacco retailers in existence at the time the tobacco retailer's ordinance was effective (August 8, 2019) and located within 1,000 feet of a youth populated area are considered legal nonconforming general retail land uses subject to the provisions of Chapter 9.16 of the Livermore Development Code, Nonconforming Provisions. Floor area dedicated to the sale of tobacco products is limited to what was in existence at the time the ordinance was effective.

Please **check each box** and **sign and date below** to indicate that you understand and will comply with the following regulations:

- Any location issued a Tobacco License is not allowed to sell tobacco products to any person under the age of 21 years old and must check identification of any person under the age of 27.
- Each proprietor guarantees that no flavored tobacco **product, electronic smoking device (e.g., vaping), electronic smoking device fluid,** or drug paraphernalia will be sold at the business.
- Must have a valid CDTFA Cigarette and Tobacco Products Retailer License.
- Must comply with Livermore Municipal Code Chapter 5.50.

I understand, acknowledge, and agree that I am responsible for the conduct of the tobacco retailer business and the business's employees and independent contractors, and that failure to comply with applicable state, federal, and/or local law, including, but not limited to Livermore Municipal Code Chapter 5.50, may result in suspension or revocation of the Tobacco Retailer Permit, and additional administrative, criminal, or civil fines, penalties, and actions. I hereby declare, under penalty of perjury, that the foregoing is true and accurate.

Owner/Applicant's Signature: _____ Date: _____

Owner/Applicant's Signature: _____ Date: _____