

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 10-02

**AN ORDINANCE AMENDING CHAPTER 14  
OF THE FALCON HEIGHTS CITY CODE  
CONCERNING TOBACCO**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Section 14-297 of the Falcon Heights City Code is amended by adding the following provisions:

- (c) Administrative Civil Penalties; Licensee: Each license issued hereunder shall be subject to suspension or revocation for violation of any provisions of this chapter or the laws of the State of Minnesota as follows:
  - (1) First Violation: The first violation of this chapter shall be punishable by a civil penalty of five hundred dollars (\$500.00).
  - (2) Second Violation: A second violation of this chapter within any twenty four (24) month period shall be punishable by a civil penalty of seven hundred fifty dollars (\$750.00).
  - (3) Subsequent Violation: A third or subsequent violation of this chapter within any twenty four (24) month period shall be punishable by revocation of the license plus a civil penalty of two hundred-fifty dollars (\$250.00). Any licensee whose license is revoked under this section shall not be eligible for renewal for a period of two (2) years after the revocation.
- (d) Administrative Civil Penalties; Individuals: An individual who sells tobacco to a person under the age of 18 years shall pay an administrative penalty of fifty dollars (\$50.00).
- (e) Hearing: Following receipt of a notice of a violation and penalty issued under this section, the license holder or individual may agree to the presumptive penalty or request a hearing before the City Council. A request for a hearing shall be made by the individual or license holder in writing and filed with the City Administrator or designee within ten (10) days of the mailing of the notice of the alleged violation. Following receipt of a written request for hearing, the individual or license holder shall be afforded an opportunity for a hearing before the Council.


- (g) Default: If the individual or license holder has been provided written notice of the violation and if no request for a hearing is filed within the ten (10) day period, then the presumptive civil penalty, suspension or revocation imposed in this chapter shall take immediate effect by default. The City Administrator or designee shall mail notice of the fine, suspension or revocation to the individual or license holder.

**SECTION 2.** This ordinance shall be effective immediately upon its passage and publication.


ADOPTED this 27<sup>th</sup> day of January, 2010, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY:

  
Peter Lindstrom, Mayor

ATTEST:

  
Justin Miller, City Administrator/Clerk