

ORDINANCE NO. 1394-19 (CM)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE RESCINDING CHAPTER 46 (TOBACCO RETAILER
LICENSE) OF TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT)
OF THE WATSONVILLE MUNICIPAL CODE AND ADDING A NEW
CHAPTER 46 ENTITLED TOBACCO RETAILER LICENSE**

Rescinds Ordinance No. 1263-10 (CM)

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**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE,
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. ENACTMENT.

Title 5 (Public Welfare, Morals, and Conduct) of the Watsonville Municipal Code is hereby amended by rescinding Chapter 46 (Tobacco Retailer License) in its entirety and adding a new Chapter 46 entitled Tobacco Retailer License to read in words and figures as follows:

CHAPTER 46 TOBACCO RETAILER LICENSE

Sec. 5-46.01 Purpose.

(a) The purpose of this chapter is to promote the health, safety and general welfare of residents, the City of Watsonville has a substantial interest in encouraging compliance with Federal, State and local regulation of tobacco sales and use.

(b) State law permits local governments to enact tobacco retail licensing ordinances and allows for the suspension or revocation of a local license for a violation of any State tobacco control law.

(c) This chapter is adopted to: (1) ensure compliance with business standards and practices of the City, (2) to encourage responsible tobacco retailing and (3) to discourage violations of tobacco control law, and (4) promote the welfare of youth by discouraging the commercial exploitation of underage tobacco users. This chapter is not intended to expand or reduce the degree to which the acts regulated by Federal or State law are criminally proscribed or otherwise regulated.

Sec. 5-46.02 Definitions.

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section unless the context clearly requires otherwise:

(a) “Consumer” shall mean a person who purchases a tobacco product for consumption and not for sale to another.

(b) “Drug paraphernalia” shall have the definitions set forth in California Health and Safety Code Section 11014.5, as that section may be amended from time to time.

(c) “Electronic smoking device” shall mean any device that may be used to deliver any aerosolized or vaporized substance to a person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

(d) “Flavored tobacco product” shall mean any tobacco product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by a consumer either prior to, or during the consumption of, a tobacco product, including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb or spice.

(e) “Labeling” shall mean written, printed, or graphic matter upon any tobacco product or any of its packaging, or accompanying such tobacco product.

(f) “License” shall mean a tobacco retailer license issued by the City pursuant to this chapter.

(g) “License fee” shall mean the charge established by Council resolution calculated to recover the reasonable regulatory costs of issuing and administering licenses, retailer, youth and public education, performing investigations, inspections, and the administrative enforcement and adjudication thereof.

(h) “Licensee” shall mean any proprietor holding a license issued by the City pursuant to this chapter.

(i) “Manufacturer” shall mean any person, including any repacker or relabeler, who manufactures, fabricates, assembles, processes, or labels a tobacco product; or imports a finished tobacco product for sale or distribution into the United States.

(j) “Package” or “Packaging” shall mean a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane) in which a tobacco product is sold or offered for sale to a consumer.

(k) “Person” shall mean either a human being or a legal entity. Examples of legal entities include but are not limited to a corporation, general partnership, cooperative association, limited partnership, limited liability company or limited liability partnership.

(l) “Pharmacy” shall mean any retail establishment in which the profession of pharmacy is practice by a pharmacist licensed by the State of California in accordance with the Business and Professions Code and where prescription Pharmaceuticals are offered for sale, regardless of whether the retail establishment sell other retail goods in addition to prescription pharmaceuticals.

(m) “Proprietor” shall mean a person with an ownership or managerial interest in a tobacco retailer. An ownership interest shall be deemed to exist when a person has

a ten percent (10%) or greater interest in the stock, assets, or income of a business. A managerial interest shall be deemed to exist when a person may or does have or share ultimate control over the day-to-day operations of a tobacco retailer.

(n) “Sale” or “Sell” shall mean any transfer, exchange, barter, gift, offer for sale, or distribution for a commercial purpose, in any manner or by any means whatsoever.

(o) “Self-service display” shall mean the open display or storage of tobacco products or tobacco paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

(p) “Tobacco paraphernalia” shall mean any item designed or marketed for the consumption, use or preparation of tobacco products.

(q) "Tobacco product" shall mean:

(1) any article or substance containing or made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus

(2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or

(3) any component, part, or accessory of 1) or 2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, and pipes.

“Tobacco product” does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

(r) “Tobacco retailer” shall mean any person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco, tobacco products, tobacco paraphernalia, or e-cigarettes or who distributes free or low cost samples of tobacco products or tobacco paraphernalia.

(s) “Tobacco retailing” shall mean selling, offering for sale, exchanging, or offering to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, offered for sale, exchanged, or offered for exchanged.

(t) “Youth” shall mean any person or persons under 21 years of age.

Sec. 5-46.03 Application procedure.

(a) All applications for a license shall be submitted to the Police Chief in the name of each proprietor proposing to conduct tobacco retailing and signed by each prospective proprietor. Each license application must be accompanied by the required license fee which is set by resolution of the Watsonville City Council.

A proprietor proposing to conduct tobacco retailing at more than one location shall submit a separate application for each location.

(b) It is the responsibility of each proprietor to be informed regarding all laws applicable to tobacco retailing, including those laws affecting the issuance of a tobacco

retailer's license. No proprietor may rely on the issuance of a license as a determination by the City that the proprietor has complied with all laws applicable to tobacco retailing. A license issued contrary to this chapter, contrary to any other law, or on the basis of false or misleading information supplied by a proprietor shall be revoked pursuant to Section 5-46.12.

(c) Every application shall contain the following information:

(1) The name, address, and telephone number of each proprietor seeking a license;

(2) The address, and telephone number of the fixed location for which the license is sought;

(3) A single name and mailing address authorized by each proprietor to receive all communications and notices (the "authorized address") required by, authorized by, or convenient to the enforcement of this chapter. If an authorized address is not supplied, each proprietor shall be understood to consent to the provision of notice at the business address specified in subsection 5-46.03(c)(1) of this section.

(4) Whether or not any proprietor has previously been issued a license pursuant to this chapter that is, or was at any time, suspended or revoked and, if so, the date of the suspension or revocation;

(5) Proof that the location for which a tobacco retailing license is sought has been issued a valid State tobacco retailer's license by the California Department of Tax and Fee Administration;

(6) A statement signed by each proprietor that no drug paraphernalia is or will be sold at the location for which the license is sought;

(7) A statement signed by each proprietor that the proprietor is informed of the laws affecting tobacco retailing licenses; and

(8) Such other information as the City deems necessary for the administration of this chapter.

(9) All information required to be submitted in order to apply for a tobacco retailer's license shall be updated whenever the information changes. A tobacco retailer shall provide the Police Chief with any updates within 10 business days of a change.

Sec. 5-46.04 Issuance of Tobacco Retailer License.

Upon the receipt of a complete application for a tobacco retailer's license and the license fee required by this chapter, the Chief of Police shall issue a tobacco retail license unless substantial evidence that one (1) or more of the following exists:

(a) The information presented in the application is inaccurate or false. Intentionally supplying inaccurate or false information shall be a violation of this chapter.

(b) The application seeks authorization for tobacco retailing at a location for which a suspension is in effect pursuant to this chapter, for which a license has been revoked pursuant to this chapter, or for which this chapter otherwise prohibits issuance of tobacco retailer licenses;

(c) The application seeks authorization for tobacco retailing for a proprietor to whom a suspension is in effect pursuant to this chapter for the subject location or another location, whose license has been revoked pursuant to this chapter for the subject location or another location, or to whom this chapter otherwise prohibits a tobacco retailer license to be issued;

(d) The City has information that the proprietor or his or her agent or employee has violated any local, State or Federal tobacco control law, including this chapter, within the preceding sixty (60) months; or

(e) The application seeks authorization for tobacco retailing that is prohibited pursuant to this chapter, that is otherwise unlawful pursuant to this code, or that is unlawful pursuant to any other local, State, or Federal law.

(f) Any denial of an application shall be in writing setting forth the reasons for denial of the permit. Such denial shall be subject to appeal in accordance with Section 5-46.16.

Sec. 5-46.05 License renewal and expiration.

(a) A tobacco retailer's license is invalid unless the appropriate fee has been paid in full and the term of the license has not expired. The term of a tobacco retailer license is one (1) year beginning each fiscal year on July 1st and ending on June 30th of the following year. Each tobacco retailer shall apply for the renewal of his or her tobacco retailer's license and submit the license fee no later than thirty (30) days prior to expiration of the term.

(b) A tobacco retailer's license that is not timely renewed shall expire at the end of its term. To reinstate a license that has expired, or to renew a license not timely renewed pursuant to subsection (a) of this section, the proprietor must:

(1) Submit the license fee plus a reinstatement fee of ten (10%) percent of the license fee;

(2) Submit a signed affidavit affirming that the proprietor:

(i) Has not sold and will not sell any tobacco product or tobacco paraphernalia after the license expiration date and before the license is renewed; or

(ii) Has waited the appropriate ineligibility period established for tobacco retailing without a license, as set forth in Section 5-46.08(b), before seeking renewal of the license.

Sec. 5-46.06 Limits on Tobacco Retailer License.

(a) No license shall be issued to authorize tobacco retailing at other than a fixed business place.

(b) No license shall be issued to authorize tobacco retailing at any location for which a tobacco retailer license suspension is in effect or during a period of ineligibility following a revocation.

(c) No license may be issued, and no existing license may be renewed, to authorize tobacco retailing in a pharmacy.

Sec. 5-46.07 Fee for license.

(a) The fee to issue or to renew a tobacco retailer's license shall be set by resolution of the City Council from time to time.

(b) The fee shall be calculated so as to recover the total cost of both license administration and license enforcement, including, for example, issuing the license, administering the license program, retailer education, retailer inspection and compliance checks, documentation of violations, and prosecution of violators, but shall not exceed the cost of the regulatory program authorized by this section.

(c) All fees shall be used exclusively to fund the program. Fees are nonrefundable except as may be required by law.

Sec. 5-46.08 Tobacco Retailer License - Violations.

(a) It shall be unlawful for any person to act as a tobacco retailer, or to display or advertise the sale of tobacco products or tobacco paraphernalia in the City without obtaining and maintaining a valid tobacco retailer's license pursuant to this chapter for each location at which that activity is to occur.

(b) In the course of tobacco retailing or in the operation of the business or maintenance of the location for which a tobacco retailer's license has been issued, it shall be a violation for a licensee, or any of the licensee's agents or employees, to violate any local, state, or federal law applicable to tobacco products, tobacco paraphernalia, or tobacco retailing.

(c) Tobacco retailing by persons on foot or from vehicles is prohibited.

(d) Each tobacco retailer license shall be prominently displayed in a publicly visible location at the licensed location.

(e) No person engaged in tobacco retailing shall sell a tobacco product or tobacco paraphernalia to another person who appears to be under the age of twenty-seven (27) years without first examining the identification of the recipient to confirm that the recipient is at least the minimum age for sale of tobacco products as established by state law.

(f) It shall be unlawful for any tobacco retailer or any of the tobacco retailer's agents or employees to sell or offer for sale, or to possess with intent to sell or offer for sale, any flavored tobacco product. A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or produces a taste or smell other than tobacco

shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

(g) All sales of tobacco products and tobacco paraphernalia to consumers shall be conducted in-person at the licensed location. It shall be a violation of this chapter for any tobacco retailer or any of the tobacco retailer's agents or employees to deliver tobacco products or tobacco paraphernalia or to knowingly or recklessly sell tobacco products or tobacco paraphernalia to any person that intends to deliver the tobacco product or tobacco paraphernalia to a consumer in the City. For purposes of this subsection, "Deliver" means the commercial transfer of tobacco products or tobacco paraphernalia to a consumer at a location not licensed pursuant to this chapter.

Sec. 5-46.09 Sale of Electronic Cigarettes Prohibited.

(a) The sale by a Tobacco Retailer of an Electronic Cigarette is prohibited where the Electronic Cigarette:

- (1) is a NEW TOBACCO PRODUCT;
- (2) requires premarket review under [21 U.S.C. § 387j](#), as may be amended from time to time; and
- (3) does not have a premarket review order under [21 U.S.C. § 387j\(c\)\(1\)\(A\)\(i\)](#), as may be amended from time to time.

(b) For the purposes of subsection (a)(1), Electronic Cigarette shall have the definition set forth in the [California Revenue and Taxation Code Section 30121](#), as may be amended from time to time.

(c) For the purposes of subsection (a)(1), New Tobacco Product has the meaning set forth in [21 U.S.C. § 387j\(a\)\(1\)](#), as may be amended from time to time.

Sec. 5-46.10 Special Restrictions on Tobacco Retailers that are Tobacco Stores.

(a) For the purposes of this section, the following words and terms shall have the following meaning:

(1) “Tobacco store” means a tobacco retailer that primarily sells tobacco products and generates at least sixty (60) percent of its gross revenues annually from the sale of tobacco products and tobacco paraphernalia.

(2) “Valid identification” means a document issued by a federal, state, county, municipal government, or subdivision or agency thereof, including, but not limited, a motor vehicle operator’s license or an identification card issued to a member of the Armed Forces, which contains the name, date of birth, description, and photograph of the person.

(b) A tobacco store shall not allow any person younger than twenty-one (21) years of age to be present or enter the tobacco store at any time, unless accompanied by a person who is at least twenty-one (21) years of age; provided, however, that a tobacco store may allow active military duty personnel at least eighteen (18) years of age to be present or enter the tobacco store.

(c) A tobacco store shall allow a person to enter the tobacco store only after confirming the person’s age by inspecting a valid identification provided by the person.

(d) A tobacco store shall display a printed warning sign at or near each public entrance to the tobacco store in a manner conspicuous to persons from the exterior of the tobacco store, and where the sign(s) are unobstructed in their entirety. The sign(s) shall contain the following words with initial letters capitalized in the following manner: PERSONS UNDER 21 YEARS OF AGE PROHIBITED. The sign(s) required by this subsection shall have a minimum height of fourteen (14) inches and width of eleven (11)

inches; each letter shall be at least one-half (1/2) inch high; and the text shall be printed in ink that is of high contrast from the color of the background material.

(e) Nothing in this section shall be interpreted to render inapplicable, supersede, pre-empt or apply in lieu of the signage requirements of the STOP TOBACCO ACCESS TO KIDS ENFORCEMENT ACT (STAKE) at [California Business and Professions Code Section 22952](#) et seq and regulations promulgated and published in [subchapter 14 of Chapter 4 of Division 1 of Title 17 of the California Code of Regulations](#). [§ 6901 et seq]

(f) A tobacco store shall not sell alcohol for consumption in the tobacco store.

(g) Upon request by the City, the proprietor(s) of a tobacco store shall provide financial records documenting its total gross revenues and gross revenues from the sale of tobacco products and tobacco paraphernalia.

(h) The City does not intend and nothing in this chapter shall be interpreted to penalize a person under twenty-one (21) years of age from being present, entering, or attempting to enter a tobacco store.

Sec. 5-46.11 License nontransferable.

(a) A tobacco retailer's license may not be transferred from one (1) person to another or from one (1) location to another. Whenever a tobacco retailing location has a change in proprietors a new tobacco retailer's license is required.

(b) Notwithstanding any other provision of this chapter, prior violations at a location shall continue to be counted against a location and license ineligibility periods shall continue to apply to a location unless:

(1) The location has been fully transferred to a new proprietor or fully transferred to entirely new proprietors; and

(2) The new proprietor(s) provides the City with clear and convincing evidence that the new proprietor(s) has acquired or is acquiring the location in an arm's length transaction. As used in this section, the term "arm's length transaction" shall mean a sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither of which is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for which a significant purpose is avoiding the effect of the violations of this chapter is not an arm's length transaction.

Sec. 5-46.12 Suspension or revocation of license by Chief of Police.

(a) In addition to any other remedy authorized by law, a tobacco retailer's license may be suspended and eventually revoked if the Chief of Police finds pursuant to this chapter that the licensee, or any of the licensee's agents or employees, has violated any of the requirements, conditions, or prohibitions of this chapter or has pleaded guilty, "no contest" or its equivalent, or admitted to a violation of any law designated in Section 5-46.09. During any period of license suspension, the retailer must remove all tobacco products from public view.

(b) Time Period of Suspension of License.

(1) Upon the first time that the Chief of Police makes a finding as set forth in subsection (a) of this section, the tobacco retailer's license shall be suspended for up to sixty (60) days;

(2) Upon the second time that the Chief of Police makes a finding as set forth in subsection (a) of this section within sixty (60) months of the first

determination, the tobacco retailer's license shall be suspended for one hundred twenty (120) days;

(3) Upon the third time that the Chief of Police makes a finding as set forth in subsection (a) of this section within sixty (60) months of the prior determination, the tobacco retailer's license shall be suspended one hundred eighty (180) days;

(4) Upon the fourth and each subsequent time that the Chief of Police makes a finding as set forth in subsection (a) within sixty (60) months of the prior determination, the tobacco retailer's license shall be revoked, and no new license may be issued for the location until five (5) years have passed from the date of revocation.

(c) Revocation of License Issued in Error. A tobacco retailer's license shall be revoked if the Chief of Police finds, after written notice and opportunity to be heard, that one (1) or more of the bases for denial of a license under Section 5-46.05 existed at the time the application was made or at any time before the license was issued. The decision by the Chief of Police shall be final. The revocation shall be without prejudice to the filing of a new application for license.

Sec. 5-46.13 Notice of intended decision.

(a) Upon determining the existence of any of the grounds for suspension or revocation of a license, the Chief of Police shall issue to the license holder a notice of intended decision.

(b) The notice of intended decision shall state all the grounds upon which the revocation or suspension is based.

(c) The notice of intended decision shall advise the permit holder that the suspension or revocation shall become final unless the licensee files a written request for hearing before the Chief of Police within ten (10) calendar days of the date of service of the notice of intended decision.

(d) The notice of intended decision shall specify the effective date of the suspension or revocation.

Sec. 5-46.14 Procedure for Hearing before the Chief of Police.

(a) The written request for a hearing before the Chief of Police must be received by the Chief of Police within ten (10) calendar days of the date of service of the notice of intended decision.

(b) Upon timely receipt of a written request for a hearing, the Chief of Police shall schedule a hearing which shall be held no later than thirty (30) calendar days after receipt of a timely request for hearing.

(c) The Chief of Police shall serve a notice of hearing on the licensee at least ten (10) calendar days prior to the scheduled date of the hearing.

(d) At the hearing before the Chief of Police or before a hearing officer at the Chief's option, the licensee shall be given the opportunity to present witnesses and relevant documentary evidence.

(e) The hearing will be conducted informally and the technical rules of evidence shall not apply. Any and all evidence which the Chief of Police or hearing officer deems reliable, relevant and not unduly repetitious may be considered.

Sec. 5-46.15 Decision of the Chief of Police.

(a) The Chief of Police or hearing officer shall serve on the licensee a written decision sustaining, reversing or modifying the Chief's intended decision.

(b) The decision by the Chief of Police or hearing officer after hearing shall become final unless the licensee files an appeal within the time period specified in Section 5-46.13.

Sec. 5-46.16 Appeal.

(a) If a licensee is dissatisfied with the written decision of the Chief of Police, the licensee may file a written appeal.

(b) The appeal must be in writing on a form provided by the City and must be received by the City Clerk within fourteen (14) calendar days of notification of the Chief's decision.

(c) The appeal, including its hearing, shall be conducted in accordance with Chapter 1-4.

Sec. 5-46.17 Tobacco retailing without a license - Seizure.

(a) Tobacco products and tobacco paraphernalia offered for sale or exchange in violation of this chapter are subject to seizure by the Chief of Police or any peace officer and shall be forfeited after the licensee and any other owner of the tobacco products and tobacco paraphernalia seized is given reasonable notice and an opportunity to demonstrate that the tobacco products and tobacco paraphernalia were not offered for sale or exchange in violation of this chapter.

(b) Forfeited tobacco products and tobacco paraphernalia shall be maintained and destroyed pursuant to the Chief's policy for seized evidence.

Sec. 5-46.18 Enforcement.

(a) The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.

(b) Whenever evidence of a violation of this chapter is obtained in any part through the participation of a person under the age of eighteen (18) years old, such a person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this chapter and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.

(c) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall also constitute a violation of this chapter.

(d) Violations of this chapter are hereby declared to be public nuisances.

(e) In addition to other remedies provided by this chapter or by other law, any violation of this chapter may be remedied by a civil action brought by the City Attorney.

Sec. 5-46.19 Notice.

Whenever a notice is required to be given under this chapter, it may be made as provided in this code, and addressed to such person to be notified at the authorized address provided in the application for a tobacco retail license pursuant to Section 5-46.03(c)(1) or, if an authorized address is not supplied, to the business address provided pursuant to Section 5-46.03(c)(2).

Sec. 5-46.20 Stipulated fine in lieu of hearing.

For a first or second alleged violation of this chapter within any sixty (60) month period, the City Attorney may allow a tobacco retailer alleged to have violated this chapter to stipulate to the penalties provided in this section in lieu of the penalties that would otherwise apply under this chapter and to forego a hearing on the allegations. Notice of any stipulation shall be provided to the Watsonville Police Department and no hearing shall be held. Stipulations shall not be confidential and shall contain the

following terms plus any other noncriminal provisions established by the City Attorney in the interests of justice:

(a) After a first alleged violation of the chapter at a location:

(1) An agreement to stop selling as a tobacco retailer for one (1) day;

(2) An administrative penalty of One Thousand and no/100ths

(\$1,000.00) Dollars; and

(3) An admission that the violation occurred and a stipulation that the violation will be considered in determining the penalty for any future violation.

(b) After a second alleged violation of the chapter at a location within any sixty (60) month period:

(1) An agreement to stop selling as a tobacco retailer for ten (10) days;

(2) An administrative penalty of at least Five Thousand and no/100ths

(\$5,000.00) Dollars; and

(3) An admission that the violation occurred and a stipulation that the violation will be considered in determining the penalty for any future violations.

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the City Charter.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.

The foregoing ordinance was introduced at regular City Council meeting of the City of Watsonville, held on the 8th day of October, 2019, by Mayor Pro Tempore Garcia, who moved its adoption, which motion being duly seconded by Member Coffman-Gomez, was upon roll call carried and ordered printed and published by the following vote:

AYES:	COUNCIL MEMBERS:	Coffman-Gomez, Garcia, Gonzalez, Hernandez, Hurst, Parker, Estrada
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



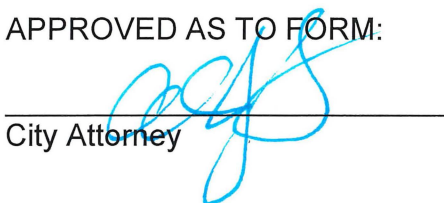
Francisco Estrada, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:

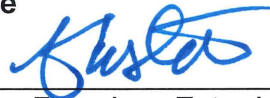


City Attorney

ORDINANCE NO. 1394-19 (CM)

The foregoing ordinance, having been printed and published as required by the Charter of the City of Watsonville, and coming on for final consideration at the regular meeting of the Council of the City of Watsonville, held on the 22nd day of October, **2019**, by Member Hernandez, who moved its adoption, which motion being duly seconded by Member Hurst, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES:	COUNCIL MEMBERS:	Coffman-Gomez, Garcia, Gonzalez, Hernandez, Hurst, Parker, Estrada
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



Francisco Estrada, Mayor

ATTEST:



City Clerk

Oct 24, 2019

Date

EFFECTIVE DATE:

November 21, 2019

CERTIFICATION

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

I, Beatriz Vázquez Flores, City Clerk of the City of Watsonville, in the County of Santa Cruz, State of California, hereby certify that the attached Ordinance No. 1394-19 (CM) is a true and correct copy of the original of said ordinance as it appears upon the official records of said City of Watsonville.


Beatriz Vázquez Flores, City Clerk

Date Oct 24, 2019