

# LOCAL TOBACCO ORDINANCES

## Pittsburgh Code of Ordinances

### TITLE SIX - CONDUCT \ ARTICLE I: REGULATED RIGHTS AND ACTIONS \ CHAPTER 601: PUBLIC ORDER

#### § 601.09 DISTRIBUTION OR SALE OF CIGARETTES AND OTHER TOBACCO PRODUCTS THROUGH VENDING MACHINES.

### TITLE SIX - CONDUCT \ ARTICLE I: REGULATED RIGHTS AND ACTIONS \ CHAPTER 601: PUBLIC ORDER \ § 601.09 DISTRIBUTION OR SALE OF CIGARETTES AND OTHER TOBACCO PRODUCTS THROUGH VENDING MACHINES.

(a) It is the purpose of this section to regulate vending machine sales of cigarettes and other tobacco products because Council does hereby find and declare that:

(1) Cigarette smoking and the use of tobacco in other forms is dangerous to human health; and

(2) The Director of the National Institute on Drug Abuse has concluded that the majority of Americans who die each year from cigarette smoking and other tobacco use became addicted to nicotine as adolescents before the age of legal consent; and

(3) A significant number of children under the legal age who purchase cigarettes and other tobacco products do so through vending machines.

(b) Except as provided in subsection (c) hereof, no person, firm or corporation shall distribute or sell cigarettes and other tobacco products by the use of a vending machine, or install or maintain a vending machine with the intent to make such distributions or sales, unless the vending machine may be operated exclusively by insertion of tokens, available for purchase on the premises.

(c) Cigarette or tobacco vending machines of any type may be maintained upon the premises of:

(1) A private business establishment licensed by the Pennsylvania Liquor Control Board and/or a privately owned and operated club or association requiring a paid membership;

(2) Private facilities not accessible to the general public, including, but not limited to nursing homes and senior citizens facilities; or

(3) A work place, including, but not limited to factories, private businesses, offices or other private facilities not open to the general public.

However, no cigarette or tobacco vending machine shall be placed in a doorway or any other area which is readily accessible to minors.

(d) No person, firm or corporation shall sell, give, furnish or otherwise make

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premises, permits minors only with adult supervision, or is an industrial work location as defined herein.

(C) Cigarette vending machines shall only be placed in locations wherein the person, firm, corporation or association or their designee can, in the normal course of their employment, view any person using said machine. Industrial work locations will be exempt from this rule.

(D) Cigarette vending machines shall not be placed in patron restrooms or restroom areas, foyers or vestibules, pantry or waiting rooms, or any other inconspicuous areas. Industrial work locations will be exempt from this rule.

## SECTION 4 - PENALTY

Any person, firm, corporation or association violating any of the provisions of this ordinance, shall be liable to a penalty of not less than \$25 for a first offense and not less than \$100 for a subsequent offense.

## SECTION 5