

**WASHINGTON TERRACE CITY
ORDINANCE 14-01**

RETAIL TOBACCO SPECIALTY BUSINESS

AN ORDINANCE ADOPTING CHAPTER 5.05 OF THE MUNICIPAL CODE RELATING TO RETAIL TOBACCO SPECIAL BUSINESSES; ADOPTING REGULATIONS PROVIDED UNDER STATE LAW; MAKING TECHNICAL CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 authorizes the City to provide for safety, preserve health, promote prosperity, peace, and good order;

WHEREAS, *Utah Code Annotated* §10-1-203 states “the legislative body of a municipality may license for the purpose of regulation and revenue any business within the limits of the municipality and may regulate that business by ordinance.”

WHEREAS, *Utah Code Annotated* §10-8-41.6 requires the City to regulate retail tobacco specialty businesses;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Amendment.** Chapters 5.05 entitled “Retail Sale of Tobacco Products” is hereby adopted to read as follows:

Chapter 5.05
RETAIL SALE OF TOBACCO PRODUCTS

Section:
5.05.010. **Retail tobacco specialty business.**

5.05.010. **Retail tobacco specialty business.**
A retail tobacco specialty business as defined by *Utah Code Annotated* §10-8-41.6 is subject to the additional regulations provided for in *Utah Code Annotated* §10-8-41.6. In addition to the causes for revocation of a business license specified in this Title, the City may revoke a business license for a retail tobacco specialty business in violation of *Utah Code Annotated* §10-8-41.6 and subject to the same.

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: **Effective date.** This Ordinance shall be effective immediately upon posting or publication after final passage.

