

**CHAPTER II**  
**YOUTH ACCESS TO TOBACCO**

**Section 2-1 Definitions**

As used in this Chapter, unless the context otherwise indicates:

**CIGARETTE VENDING MACHINE** - Any mechanical, electrical or electronic self-service device which, upon insertion of money, tokens or any other form of payment dispenses tobacco or tobacco products either exclusively or as one kind of available item.

**TOBACCO PRODUCT** - Any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

**PERSON, FIRM, CORPORATION, ASSOCIATION** - as used herein shall include the following: any person, firm, corporation or association which owns any such machine; the person, firm, corporation or association within whose place of business any such machine is placed for use by the public; and the person, firm, corporation or association having control over such machine.

**MONITOR** - To continuously view, in the ordinary course of business, in order to assure that minors shall not be permitted to operate cigarette vending machines and to be able to prevent a sale to a minor from occurring.

**Section 2-2 Prohibitions and Restrictions**

- a. No person, firm, corporation or association shall permit, authorize or otherwise allow persons under eighteen (18) years of age to operate any cigarette vending machine as defined in Section 2.1 of this Chapter.
- b. Cigarette vending machines may be placed in establishments that are not accessible to minors and have posted signs stating only persons 18 and older or 21 and older can be admitted, require checking ID before entering, etc.

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- c. Cigarette vending machines cannot be in a location where it cannot be monitored.
- d. Cigarette vending machine labels should match the product being sold and cannot have old labels.
- e. The facility owner or operator shall be responsible for compliance with this regulation and shall be subject to the enforcement provisions of the Public Health Code of Montgomery County.

**Section 2-3 Signage Requirements**

- a. Any and all persons, firms, corporations, or associations selling tobacco products shall conspicuously post signs declaring that tobacco products will not be sold to persons under 18 years of age. These signs are required to be posted so as to be visible and clearly legible at each and every point where tobacco products are sold.
- b. All cigarette vending machines must have a current license from the Department of Revenue and be evidenced of such by a decal issued by that department. The decal must be affixed by its adhesive to and conspicuously displayed on the machine.
- c. Each cigarette vending machine shall have the name and address of the owner and the name and address of the operator conspicuously and visibly displayed on the machine.