



City of Westfield, Massachusetts

HEALTH DEPARTMENT

NEW APPLICATION FOR A TOBACCO SALES LICENSE

FEE: \$100.00

Date Completed _____

Full Name of Business _____
Include: Corporation or LLC d/b/a other

Business Address _____ Bus. Telephone # _____

Name of Owner _____

Address of Owner _____

Telephone# of Owner _____ Cell phone# _____

Type of Tobacco products sold: cigarettes _____ cigars _____ smokeless _____ bidis _____ other _____

If Corporation or partnership, give name, title, and home address of officers or partners:

Name

Title

Home Address

Emergency Response Person: Name _____ Home Phone _____

****Note: Both pages of this application must be completed in order for this application to be considered valid.**

Signature of person completing this application: _____

NOTE: Any false statement made by the Applicant knowing of its falsity or made without taking reasonable steps to determine its truth, or any incomplete or illegible information shall be cause or grounds for refusing to grant the license or permit, or for suspending, canceling or revoking a license or permit already properly granted.

I do hereby certify, under the pains and penalties of perjury that the information provided in this application is true and correct.

Signature of Owner or Corporate Name (Mandatory)

Full signature required

The proposed License holder of the Tobacco Sales License must initial each of the statements below and sign the statement at the bottom.

_____ 1. It is against the law to sell cigarettes, cigars, bidis, or any tobacco product to anyone under 18 years of age, regardless of how old the person looks.

_____ 2. City and State law require business to establish conclusive proof of age before selling tobacco to any customer under 18 years of age. This means that the clerk must ask for and see identification by means of a state approved photographic ID that shows the date of birth such as a MA driver's license.

_____ 3. My business will be subjected to frequent compliance checks by the Westfield Board of Health to ensure that I am not selling tobacco products to minors. This means that the Board of Health will send minors into my establishment who will attempt to purchase tobacco and that these minors may or may not look 18 years of age.

_____ 4. Self-service tobacco displays from which the customer may select tobacco products are prohibited.

_____ 5. Sale of single or loose cigarettes or mini cigars or cigarettes in packages smaller than 20 cigarettes or any tobacco products in any form other than an original factory-wrapped package with the required health warnings and State tax stamp is prohibited.

_____ 6. I must display the MA Department of Public Health signs stating that "Sale of Tobacco to Minors is Prohibited."

_____ 7. No person or entity may install or maintain a vending machine to distribute or sell tobacco products within the City of Westfield.

_____ 8. No person or entity shall distribute or furnish without charge or for less than full retail price any tobacco products for any promotional or other commercial purpose.

_____ 9. Sale or distribution of tobacco products by delivery services to customers at locations other than the permit holders business address is prohibited.

_____ 10. A universal no smoking sign of a minimum of 48 sq. inches shall be conspicuously posted at each entrance of the public area indicating that smoking is prohibited therein.

_____ 11. Smoking or allowing smoking in public places within my business is punishable by the fine schedule and suspension of Board of Health license(s) and permit(s) as outlined in Section 8 of the City of Westfield Tobacco Control Regulation.

_____ 12. It is my responsibility to have my staff read and abide by the Westfield Board of Health Tobacco Control Regulation.

I have read and agree to abide by the above. I also have received, read and agree to abide by all clauses of the City of Westfield Board of Health Tobacco Control Regulation. I further understand that the license holder is responsible for any violations by their employees or agents.

Signature _____ Date _____

Please Print Name _____ Title _____

DEFINITION OF LICENSE HOLDER

The "License Holder" on applications for Tobacco Licenses shall be as follows:

Sole Proprietorship

If a **Sole Proprietor** proposes to sell tobacco products, the Sole Proprietor shall be the License Holder. **The Sole Proprietor shall complete the license application and initial and sign page 2.** The Sole Proprietor shall be fully responsible for compliance with the Westfield Board of Health Tobacco Control Regulation whether or not on site at the time of any alleged violation.

General Partnership

If a **General Partnership** proposes to sell tobacco products, all of the Partners shall be the License Holder. The license application must be completed and **each Partner shall initial and sign copies of page 2.** **All Local Managers of a partnership-owned business must also sign and initial page 2.** Each Partner and all Local Managers shall be fully responsible for compliance with the Westfield Board of Health Tobacco Control Regulation whether or not on site at the time of any alleged violation.

Limited Partnership

If a **Limited Partnership** proposes to sell tobacco products, the Limited Partnership shall be the License Holder. **Each General Partner** of the Limited Partnership shall complete the license application and **shall initial and sign copies of page 2.** **All Local Managers of a limited partnership-owned business must also sign and initial copies of page 2.** Each such General Partner and all Local Managers shall be fully responsible for compliance with the Westfield Board of Health Tobacco Control Regulation whether or not on site at the time of any alleged violation.

Corporation

If a **Corporation** proposes to sell tobacco products, the Corporation shall be the License Holder. **The President and Treasurer** of the Corporation shall complete the license application and **shall sign and initial copies of page 2.** **All Local Managers of a corporate-owned business must also sign and initial separate copies of page 2.** Each such President and Treasurer and all Local Managers shall be fully responsible for compliance with the Westfield Board of Health Tobacco Control Regulation whether or not on site at the time of any alleged violation.