

TOBACCO RETAIL PERMIT RENEWAL

There are two types of Tobacco Retailer permits. Please read the following descriptions and choose the type of permit you need for your tobacco retail location, and sign indicating you understand the requirements for the permit you are seeking.

General Tobacco Retailer – This type of retail location typically sells a wide variety of products so that the sale of tobacco products, electronic cigarette products, or nicotine products* accounts for less than 35% of the total quarterly gross receipts. In addition, less than 20% of the retail floor space and less than 20% of the total shelf space is allocated to the offer, display or storage of tobacco products. There is no self-service display for tobacco products, electronic cigarette products, or nicotine products. The business does not sell any “flavored” electronic cigarette products. Lastly, the business does not hold itself out as a retail tobacco specialty business and cause a reasonable person to believe the commercial establishment is a retail tobacco specialty business.

I understand that in order to be permitted as a General Tobacco Retailer, the business identified in this application may not at any time:

1. Have any self-service display of tobacco products, electronic cigarette products, or nicotine products; or
2. Have 20% or more of the total retail floor space allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products; or
3. Have 20% or more of the total shelf space allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products; or

4. Have 35% or more of total quarterly gross receipts from the sale of tobacco products, electronic cigarette products, or nicotine products; or
5. Sell flavored electronic cigarette products. Utah Code 76-10-101(7) defines:
 - “Flavored electronic cigarette product” includes an electronic cigarette product that has a taste or smell of any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice. “Flavored electronic cigarette product” does not include an electronic cigarette product that: has a taste or smell of only tobacco, mint, or menthol; or has been approved by an order granting a premarket tobacco product application of the electronic cigarette product by the United States Food and Drug Administration under 21 U.S.C. Sec. 387j(c)(1)(A)(i).
6. Hold itself out as a retail tobacco specialty business and causes a reasonable person to believe the commercial establishment is a retail tobacco specialty business.

I understand that retailers are responsible for knowing and complying with local, state, and federal laws and regulations.

I further understand, and my signature binds all proprietors for the business, that if any requirements for a General Tobacco Retailer are violated this permit may be revoked by the issuing health department.

I Understand and Accept Terms.

There are two types of Tobacco Retailer permits. Please read the following descriptions and choose the type of permit you need for your tobacco retail location, and sign indicating you understand the requirements for the permit you are seeking.

Retail Tobacco Specialty Business – This type of retail location typically specializes in the sale of tobacco products, electronic cigarette products, or nicotine products.* 35% or more of the total quarterly gross receipts are from the sale of tobacco products, electronic cigarette products, or nicotine products, or; 20% or more of the retail floor space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products, or; 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products, or; the retail space features a self-service display for tobacco products, electronic cigarette products or nicotine products, or; the business sells “flavored” electronic cigarette products, or; the business holds itself out as a retail tobacco specialty business and causes a reasonable person to believe the commercial establishment is a retail tobacco specialty business. I understand that in order to be permitted as a Retail Tobacco Specialty Business,*** the business identified in this application may not at any time, be within:

- 1) 1,000 feet of a community location;**or
600 feet of another retail tobacco specialty business; or,
600 feet of property used or zoned for agricultural or residential use.

I understand that retailers are responsible for knowing and complying with local, state, and federal laws and regulations.

I further understand, and my signature binds all proprietors for the business, that if any requirements for a Retail Tobacco Specialty Business are violated, this permit may be revoked by the issuing health department.

I Understand and Accept Terms.

A map of the proposed retail tobacco specialty business is attached that shows the location of any community location, other retail tobacco specialty business, agricultural or residential property. The application cannot be processed without the map.

*Tobacco products include any cigar, cigarette, electronic cigarette, chewing tobacco, or any substitute for a tobacco product, including flavoring or additives to tobacco, and tobacco paraphernalia. Electronic cigarette products include any electronic cigarette, electronic cigarette substance, or a prefilled electronic cigarette. Nicotine product includes any alternative nicotine product or a nontherapeutic nicotine product. Please refer to Utah Code 76-10-101 for specific definitions.

**Community location public or private K-12 school; licensed child-care or preschool; trade or technical school; church; public library; public playground; public park; youth center or other place used primarily for youth oriented activities; public recreational facility; public arcade; homeless shelter.

***Beginning July 1, 2021 (businesses grandfathered prior to 12/31/2018) and July 1, 2022 (businesses grandfathered prior to 12/31/2020), a retail tobacco specialty business may not be located within 1,000 feet of a public or private kindergarten, elementary, middle, junior high, or high school, even if the business had "grandfather status" prior. Refer to Utah Code 10-8-41.6(7) and 17-50-333(7).

Section 1: Business Information:

Required*

Business Name _____

Business Number _____

Business Address _____
City _____ State _____ Postal Code _____

Section 2: Contact and Address Information

An individual to contact about the application and business must be included.

Name _____

Phone _____

Email _____

Mailing Address _____

City _____ State _____ Postal Code _____

Section 3: Owner Information (Proprietor)

Must include information for each individual that is a proprietor or owner. If the proprietor is a corporation, must also include corporate ownership information.

Owner Name _____

Phone _____

Email _____

Address _____

City _____ State _____ Postal Code _____

Percent Owned _____

Authorized to receive permit-related communications and notices.

Yes No

Add Another Owner

Owner Name _____

Phone _____

Email _____

Address _____

City _____ State _____ Postal Code _____

Percent Owned _____

Authorized to receive permit-related communications and notices.

Yes No

Have any of the owners (proprietors) listed above been determined to have violated any state or federal tobacco laws in the past 24 months? If so, list all violations and dates of each violation:

Section 4:

Attach a copy of the current Utah State Tax Commission tobacco license. The application cannot be processed without a current license.

Section 5: Permit Fees:

Required*

Permit renewal \$20.00

Must bring payment to Tricounty Health Department or call to do over the phone processing (435) 247-1160. No permit will be issued without the payment of the permit fee.

Section 6: Acknowledgement/Agreement

I certify that the information provided is true and accurate to the best of my understanding. I understand that any incorrect information may result in the suspension or revocation of the tobacco retailer permits. I also understand that the health department may recommend to the business licensing entity that the business license be suspended or revoked. Any such action will be reported to the Utah State Tax Commission.

I agree to the terms and conditions listed above