



# City of Saint Paul

City Hall and Court  
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15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Signature Copy

Ordinance: Ord 24-34

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**File Number: Ord 24-34**

Amending Chapter 324.04 of the Legislative Code to allow a Tobacco Shop or Tobacco Product Shop licensee to relocate within a Shopping Center or the Same Parcel of Property under certain circumstances. (To be withdrawn)

### SECTION 1

WHEREAS, small local businesses serve as an important piece in the ecosystem of the city; and  
WHEREAS, Saint Paul's tobacco ordinances are justifiably strict given the deleterious health effects of the product; and

WHEREAS, flexibility within our City's Code of Ordinances is required to facilitate the innumerable unique situations that small businesses find themselves facing; now therefore be it

**RESOLVED**, THAT THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN:

### SECTION 2

Chapter 324.04 of the Saint Paul Legislative Code is hereby amended to read as follows:

#### **Chapter 324. - Tobacco**

#### **Sec. 324.04. Fee, duration, limitation on number of licenses.**

(a) License fee, duration. The annual license fee for each license issued under this chapter will be established by ordinance as specified in section 310.07(b) of the Legislative Code. Each license will expire one (1) year from the date of issuance during each calendar year. The annual license fee will be prorated for licenses in force less than a full year.

(b) Limitation on number of licenses and location.

(1) The total number of tobacco shop licenses issued under this chapter will not exceed one hundred (100). The total number of tobacco products shop licenses issued under this chapter will not exceed fifteen (15). Establishments or locations holding either tobacco shop or tobacco product shop licenses on July 31, 2021, or with an application of a license pending on July 31, 2021, that is ultimately granted will not be affected by this limitation but will be entitled to have such licenses renewed or new license granted, subject to the following conditions:

- a. The establishment or location is in compliance with all other requirements of law and there exist no grounds for adverse actions against such licenses;
- b. The previous license has not terminated or expired more than one (1) year before the new license had been first applied for;
- c. A previous license has not been revoked by the council.

(2) No tobacco shop or tobacco product shop license may be issued to a person, firm, or corporation for any establishment located within one-half mile (2,640 feet) of another establishment possessing a tobacco license. Said one-half mile being calculated and computed as the distance measured from the property line of the premises or building proposed as the location for the tobacco license to the property line of any other tobacco license. This limitation is subject to the following exception:

- a. At the request of the property owner or licensee, a previously licensed businesses which is subject to relocation due to decisions or circumstances beyond their control including landlord lease obligations, damage to their building or damage to the utilities necessary for their business to function will be allowed to relocate within the parcel of land or shopping center that the licensed premises is currently located provided that the

licensee has not previously violated any applicable regulations or their license conditions within the past two years, and

b. Upon approval of the director of the department of safety and inspections.

**SECTION 3**

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval, and publication.

At a meeting of the City Council on 11/20/2024, this Ordinance was Archived.

**Vote Attested by**  
**Council Secretary**



Shari Moore

**Date** 11/20/2024

**Approved by the Mayor**



Melvin Carter III

**Date** \_\_\_\_\_