



Legislation Text

File #: Int 0908-2018, **Version:** *

Int. No. 908

By Council Members Rodriguez and Powers

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting new cigarette retailers near schools

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision d of section 20-202 of the administrative code of the city of New York, as amended by local law number 97 for the year 2013, is amended to read as follows:

1. A license shall be issued to a person to conduct the business of a retail dealer for each place of business where such person engages in selling cigarettes or tobacco products in the city only where:

(A) an applicant for a license or renewal thereof meets all the requirements prescribed herein and any criteria in addition thereto established by the commissioner by rule as he or she deems necessary to effectuate the purposes of this subchapter;

(B) an applicant satisfies the commissioner that such person is fit and able to conduct the business of a retail dealer;

(C) the commissioner has not received notification from the commissioner of finance or the commissioner of the department of health and mental hygiene that such applicant is not in full compliance with any provisions of chapter 13 or chapter 40 of title 11 of this code relating to the sale of cigarettes or tobacco products, section 17-176 or section 17-176.1 or chapter 7 of title 17, or any rules promulgated by the commissioner of finance or the commissioner of the department of health and mental hygiene to effectuate the purposes of such chapters; [and]

(D) the number of licenses in the community district in which the place of business of such applicant is

located is lower than the community district retail dealer cap[.]; and

(E) the applicable place of business of such applicant is located no less than 500 feet from any public or non-public school serving children in any grade from kindergarten through high school.

§ 2. This local law takes effect 180 days after it becomes law.

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