



Legislation Text

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Int. No. 247

By Council Members Holden, Yeger, Restler, Nurse, Powers and Ariola

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

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision d of section 20-561 of the administrative code of the city of New York, as added by local law number 144 for the year 2017, is amended to read as follows:

1. A license or renewal thereof shall be issued to a person to conduct the business of an electronic cigarette retail dealer for each place of business where such person engages in the retail sale of electronic cigarettes 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 deemed 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 an electronic cigarette retail dealer;

(c) the commissioner has not received notification from the commissioner of health and mental hygiene that the applicant is not in full compliance with any provision of chapter 7 of title 17 of this code or any rules promulgated by the commissioner of health and mental hygiene to effectuate the purposes of such provisions;
[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 electronic cigarette retail dealer cap[.]; and

(e) the place of business for which such applicant seeks to engage in the sale of electronic cigarettes 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.

Session 12

SJ

LS #2159

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Session 11

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LS # 9619

Int. 1599-2019