

ORDINANCE NO. 2010-3

AMENDING CHAPTER 7.41 OF THE
SAN MATEO MUNICIPAL CODE REGARDING
TOBACCO RETAILER PERMIT SUSPENSIONS

WHEREAS, the current Tobacco Retailer Permit ordinance, Chapter 7.41 of the San Mateo Municipal Code, was adopted in 2008; and

WHEREAS, City staff discovered errors in Section 7.41.070 regarding the suspension of tobacco retail permits; and

WHEREAS, it is recommended that the City Council approve the proposed amendment to correct the errors;

NOW, THEREFORE, the City Council of the City of San Mateo ordains that:

Section 1. Section 7.41.070, "Suspension of Permit", of the San Mateo Municipal Code, subsections (b) 1 and (b) 2 are amended to read:

(1) Upon the first time that the Director makes the finding that either subsection (a)(1) or (a)(2) of this section has occurred, the permit to sell tobacco products shall be suspended for up to thirty (30) days.

(2) Upon the second time that the Director makes the finding set forth in subsection (a)(1) or (a)(2) of this section within twenty-four (24) months of the first determination, the permit to sell tobacco products shall be suspended for no less than thirty (30) days and up to 90 days.

Section 2. PUBLICATION. This Ordinance shall be published in the San Francisco Examiner, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter and shall be effective 30 days after the date of adoption.

I hereby certify this to be a correct copy of Ordinance 2010-3 of the City of San Mateo, California, introduced on January 4, 2010 and adopted on January 19, 2010, by the following vote of the Council:

AYES: Council Members LIM, MATTHEWS, GROTTTE, ROSS and LEE

NOES: NONE

ABSENT: NONE

(SEAL) /s/ NORMA GOMEZ, City Clerk