



Legislation Details (With Text)

File #: 14-1692 **Version:** 1 **Name:** Cigar Store Ordinance Amendment
Type: Ordinance **Status:** Filed
File created: 10/7/2014 **In control:** Municipal Council and City Clerk
On agenda: 11/6/2014 **Final action:** 11/17/2014
Title: AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 8, BUSINESS AND OCCUPATIONS; CHAPTER 14, SHOE SHINE PARLORS AND CIGAR STORES, TO AMEND THE DEFINITION OF CIGAR STORE TO EXCLUDE CERTAIN ESTABLISHMENTS THAT SELL PRIMARILY FOOD AND GROCERY ITEMS
Sponsors: Ramos/ James
Sponsors: Anibal Ramos, Jr., John Sharpe James

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/17/2014	1	Municipal Council	Close on Public Hearing and Adopt	Pass
11/6/2014	1	Municipal Council	Advance to First Reading	Pass
11/6/2014	1	Municipal Council	reconsider	Pass
11/6/2014	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 8, BUSINESS AND OCCUPATIONS; CHAPTER 14, SHOE SHINE PARLORS AND CIGAR STORES, TO AMEND THE DEFINITION OF CIGAR STORE TO EXCLUDE CERTAIN ESTABLISHMENTS THAT SELL PRIMARILY FOOD AND GROCERY ITEMS

Sponsors: Ramos/ James

WHEREAS, upon further review of Title VIII, Chapter 14, the definition of “Cigar Store” could be misconstrued to include retail sales establishments that sell a wide variety of food and grocery items, including a limited quantity of cigar or tobacco products; and

WHEREAS, it was not the Municipal Council’s intention for Title VIII, Chapter 14 to apply to or restrict retail sales establishments, such as convenience or grocery stores that sell primarily goods or merchandise to the general public for personal or household consumption other than cigar or tobacco products, from operating in the City of Newark on a 24-hour basis; and

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY THAT:

Note: Strikethroughs are deletions and bold underlined are additions.

Section 1. Title VIII, Chapter 14, Section 8:14-1 of the Revised General Ordinances of the City of Newark, 2000, as amended and supplemented, is hereby amended as follows:

Cigar Retail Store shall mean **a store or shop, or part thereof, place, building structure or vehicle where cigars or tobacco or all or any of them, are exposed for sale, or sold, and inclusive of sale of any cigars or tobacco or all or any of them, from vending machines, or other apparatus or mechanical device any establishment in which at least 51% of the products offered for sale constitute tobacco products and accessories, and in which the sale of other products is merely incidental.**

Statement

This ordinance amends and clarifies Title VIII, Chapter 14's definition of Cigar Store to be in line with the State's standard for determining tobacco retail establishments.