

**ORDINANCE NO. 774**  
**2<sup>ND</sup> SERIES**

**AN ORDINANCE AMENDING SECTION 4.34, SUBD. 6. OF THE ALEXANDRIA CITY CODE  
REGARDING PROHIBITED SALES.**

The City Council of the City of Alexandria does hereby **ORDAIN**:

**SECTION I.** That Section 4.34, Subdivision 6 of the Alexandria City Code is hereby amended as follows:

**Section 4.34. Tobacco Licensing and Regulation.**

Subd. 6. Prohibited Sales.

A. Minors. No person shall sell, offer to sell or otherwise provide any tobacco, tobacco products, tobacco related device electronic delivery devices, or nicotine and lobelia delivery products to any person under the age of eighteen (18) years.

B. Self-service Sales. No person shall sell, offer to sell or otherwise provide any tobacco or tobacco related devices, electronic delivery devices, or nicotine and lobelia delivery products in open displays which are accessible to the public without the intervention of a store employee that includes a physical exchange of the tobacco products, tobacco devices, electronic delivery devices, or nicotine and lobelia delivery products. This shall not apply to retail establishments which derive at least 90 percent of their revenue from tobacco and tobacco related devices, electronic delivery devices, or nicotine and lobelia delivery products and where the retailer ensures that no person younger than 18 years of age is present, or permitted to enter at any time.

C. Controlled Substances. No person shall sell, offer to sell or otherwise provide any tobacco, tobacco products, tobacco related device electronic delivery devices, or nicotine and lobelia delivery products containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.

D. Sampling. No person shall distribute any tobacco, tobacco related devices, electronic delivery devices, or nicotine or lobelia products free of charge.

E. Other Prohibitions. No person shall sell, offer to sell or otherwise provide any tobacco, tobacco product, tobacco related device, electronic delivery device, or nicotine and lobelia delivery product by any other means, to any other person, or in any other manner or form prohibited by Federal, State, or other local law, ordinance provision, or other regulation.

F. Vending Machines. No person shall allow the sale of tobacco, tobacco products, tobacco related devices, electronic delivery devices, or nicotine or lobelia delivery products by the means of a vending machine unless minors are at all times prohibited from entering the licensed establishment.

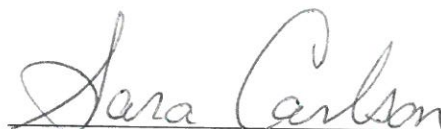
**SECTION II.** This Ordinance shall be in effect and full force after its publication.

**ADOPTED** by the City Council of the City of Alexandria this 23<sup>rd</sup> day of October, 2017, by the following vote:

YES: Batesole, Kuhlman, Osterberg, Benson, Jensen

NO: Jensen

ABSENT: None

  
Sara Carlson, Mayor

ATTEST:   
Martin D. Schultz, City Administrator