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PART I CODE OF ORDINANCES
Chapter 22 BUSINESSES*

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***Cross reference(s)**--Alcoholic beverages, ch. 6; amusements and entertainments, ch. 10; construction contractors, § 18-186 et seq.; cable communications, ch. 26; emergency medical transportation services, § 38-26 et seq.; restaurants, § 50-76 et seq.; peddlers and solicitors, ch. 74; commercial use of public rights-of-way prohibited, § 82-1; private collectors of solid waste, § 90-46 et seq.; identification of commercial vehicles, § 106-2.

Special act references--Special acts pertaining to businesses, ch. 210; special acts pertaining to consumer protection, ch. 214.

State law reference(s)--Authority to regulate businesses, F.S. § 125.01(1)(h).

Ordinance Enacted: 3 / 27 / 01

ARTICLE I. IN GENERAL

Entered into Database: / /

Sec. 22-1. Merchandising of tobacco products.



(a) *Title.* This section shall be known and may be cited as the "Merchandising of Tobacco Products Ordinance."



(b) *Definitions.* For the purpose of this section, the following terms shall mean:

Business means any sole proprietorship, joint venture, partnership, corporation, or limited liability company, or other business formed for profit making or non-profit purposes in both the incorporated and unincorporated areas of the county, including retail establishments where goods or services are sold.


Person means any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or other legal entity.

Self-service merchandising means the open display of tobacco products to which the public has access without the intervention of the vendors, store owner, or other store employee.

Tobacco products include loose tobacco leaves and products made from tobacco leaves, in whole or in part, and cigarette wrappers, which can be used for smoking, sniffing, or chewing.

Tobacco retailer means any person or business that operates a store, stand, booth, concession, or other place at which sales of tobacco products are made to purchasers for consumption or use.

Vendor assisted means the customer has no access to tobacco products without the assistance of the vendor, store owners, or other store employee.

 (c) *Merchandising prohibited.* No person, business, tobacco retailer, or other establishment subject to this section shall sell, permit to be sold, offer for sale, or display for sale any tobacco products by means of self service merchandising. Only vendor assisted sales are allowed, unless access to the premises by persons under the age of 18 years is prohibited by the person, business, tobacco retailer, or other establishment, or prohibited by law.

 (d) *Advertising of tobacco products.* All retail stores shall place any and all tobacco advertising at least four (4) feet above the floor.

(Ord. No. 01-08, §§ I--IV, 3-27-01)

Editor's note--Ord. No. 01-08, §§ I--IV, adopted March 27, 2001, did not specifically amend the Code. Hence its inclusion as section 22-1 was at the discretion of the editor.

Secs. 22-2--22-20. Reserved.

ARTICLE II. ECONOMIC DEVELOPMENT INCENTIVE CREDIT

Sec. 22-21. Qualification criteria.

The board of county commissioners is hereby authorized to provide economic development incentives pursuant to the terms of this article for those particular development projects which the board of county commissioners determines meet the following criteria:

- (1) The project must be nonresidential, and nonretail in character;
- (2) The business will serve a public purpose by advancing the economic prosperity and the general welfare of the people with consideration to the overall environment of the county;
- (3) The project may be a hotel/motel development with a minimum of 100 rooms/units; or
- (4) The project may be a regional mall or a factory outlet mall containing a minimum of 200,000 square feet, which must be located at least ten miles from any municipal boundary within Pasco County, unless it is located along the interstate, subject to approval by the board of county commissioners;
- (5) The business activity provides specific benefits to the county including, but not limited to, increased ad valorem taxation, employment, education, increased revenues for existing county utilities, and increased state-shared or local option revenues;
- (6) The proposed business activity generates more in terms of county revenues than it consumes in county services;



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