

Examples of Other Cities Codes

State of MN Sampling Section

Subd. 4. Tobacco products shop.

Sections [144.414](#) to [144.417](#) do not prohibit the lighting, heating, or activation of tobacco in a tobacco products shop by a customer or potential customer for the specific purpose of sampling tobacco products. For the purposes of this subdivision, a tobacco products shop is a retail establishment that has an entrance door opening directly to the outside, that cannot be entered at any time by persons younger than 21 years of age, and that derives more than 90 percent of its gross revenue from the sale of tobacco, tobacco-related devices, and electronic delivery devices, as defined in section [609.685](#), and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.

Fridley

F. Smoking and sampling indoors are prohibited. No person shall smoke in a public place, at a public meeting, or in a place of employment. This subdivision also prohibits the sampling of tobacco, tobacco products, electronic delivery devices, nicotine or lobelia delivery products and products used in electronic delivery devices and nicotine or lobelia delivery products.

Minneapolis

281.56. - Sampling.

Pursuant to the authority granted to the City of Minneapolis by Minnesota Statutes, Section 144.417, the operator of any tobacco products shop licensed under Section 281.10 of the Minneapolis Code of Ordinances is hereby prohibited from any of the following:

(a) Except for a bona fide sale of a smoking device, providing or otherwise making available for use by a customer, potential customer, or any other person a smoking device for the purpose of sampling any tobacco product, provided that this subsection shall not prevent providing or otherwise making available for sampling, testing, or instructional purposes, an electronic delivery device as defined in Minn. Statute Section 609.685;

(b) Providing in exchange for a fee or any other consideration seating within or access to the indoor area of a tobacco products shop; or

(c) Permitting within the indoor area of a tobacco products shop the sampling of any tobacco product which was not furnished by the tobacco products shop on the date and at the time the sampling occurs.

A tobacco products shop may distribute single service samples of smokeless tobacco products or cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking subject to the limitations on indoor sampling or smoking provided in this section. (2011-Or-054, § 1, 7-1-11; 2015-Or-001 , § 2, 1-30-15; Ord. No. 2017-038 , § 6, 8-4-17)

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Spring Lake Park

SMOKING LOUNGE. A location licensed to sell tobacco products where: (a) except for a bona fide sale of a smoking device, provided or otherwise made available for use by a customer, potential customer or any other person a smoking device for the purpose of smoking any tobacco product; (b) it is provided in exchange for a fee or any other consideration seating within or access to the indoor area of a tobacco products shop; or (c) it is permitted within the indoor area the sampling of any tobacco product which was not furnished by the tobacco products shop on the date and at the time the sampling occurs.

11.12.120 Smoking And Vapor Lounges

Smoking lounges and vapor lounges are prohibited.

West St.Paul

(I) *Sampling.* Sampling of licensed products shall not be permitted within the indoor area of any retail establishment.

Arden Hills

Subd. 10 Smoking. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling tobacco and tobacco-related products is prohibited.

Brooklyn Park

None

Bloomington

- (a) Except as provided in subsection (c) below, no person shall smoke in public places and places of work , including outdoor and bar areas of restaurants .
The proprietor of an outdoor dining area or outdoor bar area of a restaurant may designate for smoking up to 50% of the outdoor seating capacity of the restaurant provided this location is appropriately signed as a smoking area. Tobacco sampling within a tobacco products shop as defined by M.S. § 144.4167, subd. 4, as it may be amended from time to time, is specifically prohibited in the city. Sampling of electronic delivery devices including products used in electronic delivery devices is also prohibited.

North St Paul

(J) *Smoking.* Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes

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of sampling tobacco, tobacco-related products, or nicotine or lobelia delivery devices is prohibited.

Robinsdale

None

New Brighton

The inhaling or exhaling of smoke from any lighted cigar, cigarette, pipe or any other lighted tobacco or plant product in the licensed premises is prohibited. (Ord. No 817)

South St. Paul

Sampling. Sampling of tobacco, tobacco products, tobacco-related devices or electronic delivery devices shall not be permitted within the indoor area of any establishment with a retail tobacco license.

Crystal

none

St. Anthony

§ 111.059 SMOKING PROHIBITED. Smoking is prohibited, and no person shall smoke in a public place, at a public meeting, in a place of employment, or in public transportation.

New Hope

(12) Smoking prohibited. Smoking is prohibited within the indoor area of any retail establishment licensed under this ordinance with the sole exception of smoking of samples only in Tobacco Products Shops.

(13) Samples prohibited. No person shall distribute samples of any licensed product free of charge or at a nominal cost, except that Tobacco Products Shops may distribute samples for a reasonable cost.

Golden Valley

(e) *Smoking Prohibited*. Smoking, including smoking for the purpose of sampling of licensed products, is prohibited within the indoor area of any retail establishment licensed under this ordinance.

(f) *Samples Prohibited*. No person shall distribute samples of any licensed product free of charge or at a nominal cost.

St. Louis Park

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- (b) Tobacco sampling of tobacco, electronic delivery devices, nicotine or lobelia delivery products within an establishment selling any tobacco, tobacco product, tobacco related devices, electronic delivery devices, nicotine or lobelia delivery product is prohibited.

Richfield

Subd. 4. Smoking and sampling prohibited. Smoking shall be prohibited, and no person shall smoke, in a public place, at a public meeting, or in a place of employment. This subdivision also prohibits the sampling of tobacco, tobacco products, electronic delivery devices, nicotine or lobelia delivery products and products used in electronic delivery devices and nicotine or lobelia delivery products A licensee under this Section that allowed sampling at its licensed premises on or before October 23, 2014 may continue to allow sampling, but only while that certain licensee operates at that certain licensed premises. (Amended, Bill No. 2018-6)

Lauderdale

L: SMOKING PROHIBITED IN TOBACCO RETAIL ESTABLISHMENTS: Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a tobacco retailer license. Smoking for the purposes of sampling regulated products is prohibited.

Mendota Heights

2. Smoking: Notwithstanding any exceptions for tobacco products shops as set forth in the Minnesota Clean Indoor Air Act, no licensee shall directly or indirectly permit smoking in the licensed retail establishment. All licensees under this chapter shall be responsible for the actions of their employees and patrons in regard to any smoking in the licensed retail establishment.

Maplewood

The Minnesota Legislature has enacted the Minnesota Clean Indoor Air Act (Minn. Stats., §§ 144.411 to 144.417), the purpose of which is to protect employees and the general public from the hazards of secondhand smoke by eliminating smoking in public places, places of employment, public transportation and at public meetings, and nothing in the Minnesota Clean Air Act prohibits the city from enacting and enforcing more stringent measures to protect individuals from secondhand smoke. Pursuant to this authority and for the purpose of protecting individuals from the hazards of secondhand smoke, the city has determined that it is in the best interest of the public to prohibit the lighting of tobacco or the use of an electronic delivery device in a retail establishment by a customer or potential customer for the purpose of sampling tobacco products or electronic delivery devices.

Little Canada

(3) Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking lighting, heating and burning of Licensed Products, for the purposes of sampling Licensed Products is prohibited. Notwithstanding the preceding, smoking may occur in a Tobacco Store if all of the following circumstances are met:

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Roseville

Smoking is prohibited within the indoor area of any retail establishment licensed under this ordinance. Smoking for the purpose of sampling licensed products is prohibited. (Ord. 1424, 02-13-12) (Ord. 1555, 6-18-2018)

Hilltop

Sec. 10-254. - Smoking and sampling prohibited.

Lighting, inhaling, exhaling or any combination thereof of tobacco products or tobacco related devices is prohibited at all times by any person in any retail establishment in the city, and may subject the violator to both administrative penalties and criminal misdemeanor prosecution for violation of this section.