

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF BAKERSFIELD AMENDING
TITLE 8 OF THE BAKERSFIELD MUNICIPAL CODE RELATING
TO HEALTH AND SAFETY TO ADD CHAPTER 8.59 RELATING
TO THE REQUIREMENTS FOR TOBACCO RETAILER'S PERMIT.**

BE IT ORDAINED by the Council of the City of Bakersfield as follows:

SECTION 1.

Title 8 of the Bakersfield Municipal Code is hereby amended to add Chapter 8.59 to the Bakersfield Municipal Code to read as follows:

**Title 8
HEALTH AND SAFETY**

Chapters:

- **8.04 Transfer of Health Functions**
- **8.08 Milk**
- **8.12 Meat and Fish Peddlers**
- **8.16 Ice Cream Trucks**
- **8.24 Termite-Infested Wood**
- **8.27 Property Maintenance**
- **8.28 Weeds and Debris**
- **8.29 Litter Control**
- **8.30 Distribution of Printed Matter to Residential Property**
- **8.31 Placement of Advertising Materials on Private Motor Vehicles**
- **8.32 Solid Waste/Recyclable Materials/Organic Waste**
- **8.34 Industrial Stormwater**
- **8.35 Stormwater System**
- **8.36 Irrigation Canals**
- **8.38 Groundwater Recharge Basins Operation of Motorized Watercraft Prohibited**
- **8.40 Smoke Abatement**
- **8.44 Fireworks**
- **8.48 Electrical Appliances**
- **8.52 Resale of Returned Merchandise**
- **8.56 Smoking on Buses**
- **8.58 Tobacco Use Prevention**
- **8.59 Tobacco Retailer's Permit**
- **8.60 Certified Unified Program Agency**
- **8.70 Regulation of Wells and Water Systems**
- **8.80 Abatement of Public Nuisances**

- **8.85 Assessments Related to Abatement of Public Nuisances**
- **8.90 Land Application of Biosolids**

Chapter 8.59 Tobacco Retailer's Permit

8.59.010 Short Title.

8.59.020 Purpose and Intent.

8.59.030 Incorporation by Reference.

8.59.040 County Responsibilities for Licensing and Enforcement.

8.59.010 Short Title.

This Ordinance codified in this Chapter shall be known as "Tobacco Retailer's Permit."

8.59.020 Purpose and Intent.

The purpose of this Chapter is to prohibit any person from acting as a tobacco retailer without first obtaining and maintaining a valid Tobacco Retailer's Permit and to set forth the terms and conditions of obtaining the permit.

8.59.030 Incorporation by Reference.

Pursuant to Government Code section 50022.1 et seq., and except as otherwise stated in this title, the rules, regulations, provisions and conditions set forth in the publication entitled "Kern Code, Title 8 –Health and Safety, Chapter 8.60 – Tobacco Retailer's Permit" as adopted and amended through Ordinance No. G-8763, passed April 17, 2018, is hereby adopted as the Tobacco Retailer's Permit code for the City of Bakersfield. A copy of this code is on file in the office of the City Clerk.

8.59.040 County Responsibilities for Licensing and Enforcement.

By mutual consent of City and County, the County shall be responsible for the enforcement of the provisions of this Chapter. Tobacco retailers shall apply to the County for a Tobacco Retailer's Permit and the County is responsible for the issuance, collection of fees, renewal and revocation of Tobacco Retailer's Permits within the City limits.

SECTION 2.

This Ordinance shall be posted in accordance with the Bakersfield Municipal Code and shall become effective thirty (30) days after the date of its passage.

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I **HEREBY CERTIFY** that the foregoing Ordinance was passed and adopted,
by the Council of the City of Bakersfield at a regular meeting thereof held on _____
by the following vote:

AYES:	COUNCILMEMBER: ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, KAUR
NOES:	COUNCILMEMBER: _____
ABSTAIN:	COUNCILMEMBER: _____
ABSENT:	COUNCILMEMBER: _____

JULIE DRIMAKIS, CPMC, MMC
CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED:

By: _____
KAREN GOH
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
ELIZABETH VILLANUEVA
Deputy City Attorney