TOBACCO ORDINANCE NO: 32

THE COUNTY BOARD OF THE COUNTY OF LINCOLN, MINNESOTA, HEREBY ORDAINS:

SECTION 1. LICENSE.

- A. No person shall keep for retail sale, sell at retail or otherwise dispose of any tobacco product at any place in the County without first obtaining a license from the County. "Tobacco" is defined as and includes: cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts, refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or other tobacco-related devices.
- B. The annual license fee for a retail tobacco license shall be set by resolution of the County Board. All retail tobacco licenses shall be valid for one calendar year for the time period of January 1st to December 31st of each year. No additional fees shall be required of any licensee who has obtained a tobacco license for the calendar year 1998 issued by any jurisdiction at the time of the adoption of this ordinance.
- C. Every license shall be conspicuously posted at the place for which the license is issued and shall be exhibited to any person upon request.

SECTION 2. SALES PROHIBITED TO MINORS.

No person shall sell or offer to sell any tobacco or tobacco product to any person under eighteen (18) years of age.

SECTION 3. ADMINISTRATIVE PENALTIES.

- A. If a licensee or employee of a licensee sells tobacco to a person under the age of 18 years, or violates any other provision of this ordinance, the licensee shall be charged an administrative penalty of \$75.00. An administrative penalty of \$200.00 must be imposed for a second violation at the same location within 24 months after the initial violation. For a third violation at the same location within 24 months after the initial violation, an administrative penalty of \$250.00 must be imposed, and the licensee's authority to sell tobacco at that location must be suspended for not less than seven days. No suspension or penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the County to conduct the hearing.
- B. An individual who sells tobacco to a person under the age of 18 years must be charged an administrative penalty of \$50.00. No penalty may be imposed until the individual has received notice, served personally or by mail, of the alleged

violation and an opportunity for a hearing before a person authorized by the County to conduct the hearing.

- C. It is an affirmative defense to the charge of selling tobacco to a person under the age of 18 years in violation of this ordinance that the licensee or individual making the sale relied in good faith upon proof of age as follows:
 - A valid driver's license or identification card issued by the State of Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person; or
 - 2. A valid military identification card issued by the United States Department of Defense; or
 - 3. In the case of a foreign national, from a nation other than Canada, by a valid passport.

SECTION 4. SELF-SERVICE SALES.

- A. No licensee shall offer for sale single packages of cigarettes or smokeless tobacco in open displays which are accessible to the public without the intervention of a store employee.
- B. Cartons and other multipack units may be offered and sold through open displays accessible to the public.
- C. Section 4(B) of this ordinance will expire upon the effective date and implementation of Code of Federal Regulations, Title 21, Part 897.16(c).
- D. The self-service restrictions described in this Section 4 shall not apply to retail stores which derive at least 90% of their revenue from tobacco and tobacco related products and which cannot be entered at any time by persons younger than 18 years of age.

SECTION 5. VENDING MACHINE SALES.

No person shall sell tobacco products from vending machines. This section does not apply to vending machines in facilities that cannot be entered at any time by persons younger than 18 years of age.

SECTION 6. PERSONS INELIGIBLE FOR LICENSE.

The County shall conduct unannounced compliance checks at least once each calendar year at each location where tobacco is sold to test compliance with Minnesota Statutes Section 609.685. Compliance checks shall utilize minors over the age of 15, but under the age of 18, who, with the prior written consent of a parent or guardian, attempt to purchase tobacco under the direct supervision of a law enforcement officer or an employee of the licensing authority.

This ordinance shall become effective after its passage and publication.

Dated: <u>May 19</u> , 1998.	Lipsolp County Board of Commission
	Lincoln County Board of Commissioners
Δ.	BY: Robert Black
ATTEST:	Chairman
D. D. Sagmoe Lincoln County Auditor	
Published in the	1000

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA }
} ss
COUNTY OF LINCOLN }



TOBACCO ORDINANCE NO: 32

THE COUNTY BOARD OF THE COUNTY OF LINCOLN. MINNESOTA. HEREBY ORDAINS:

SECTION 1. LICENSE.

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B. The annual license fee for a retail tobacco license shall be set by resolution of the County Board. All retail tobacco licenses shall be valid for one calendar year for the time period of January 1st to December 31st of each year. No additional fees shall be required of any licensee who has obtained a tobacco license for the calendar year 1998 issued by any jurisdiction at the time of the adoption of this ordinance.

C. Every license shall be conspicuously posted at the place for which the license is issued and shall be exhibited to any person upon request.

SECTION 2. SALES PROHIBITED TO MINORS.

No person shall sell or offer to sell any tobacco or tobacco product to any person under eighteen (18) years of age.

SECTION 3. ADMINISTRATIVE PENAL-

A. If a licensee or employee of a licensee sells tobacco to a person under the age of 18 years, or violates any other provision of this ordinance, the licensee shall be charged an administrative penalty of 875.00. An administrative penalty of 8200.00 must be imposed for a second violation at the same location within 24 months after the initial violation. For a third violation at the same location within 24 months after the initial violation, an administrative penalty of \$250.00 must be imposed, and the licensee's authority to sell tobacco at that location must be suspended for not less than seven days. No suspension or penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the County to conduct the hearing.

B. An individual who sells tobacco to

a person under the age of 18 years must be charged an administrative penalty of \$50.00. No penalty may be imposed until the individual has received notice. served personally or by mall. of the alleged, violation and an opportunity for a hearing before a person authorized by the County to conduct the hearing. Charles R. Hunt, being duly sworn, on oath says that he is the publisher of the newspaper known as the Hendricks Pioneer, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed clipping which is attached was cut from the columns of said newspaper, and
was printed and published once each week, for one successive weeks; it was first
published on Wednesday, the 24 day of June, 1998, and was
thereafter printed and published on every Wednesday to and including Wednesday, the
By:

Subscribed and sworn to before me on this $\frac{1}{\sqrt{1 + 1}}$ day of $\frac{1}{\sqrt{1 + 1}}$, 1998.

Janet J. Wielsen

JANET F NIELSEN
NOTARY PUBLIC—MINNESOTA
MY COMMISSION EXPIRES 1-31-2000

CERTIFICATE OF MEASUREMENT

I hereby certify that the legal notice entitled <u>Lincoln County Attorney</u>
as published in the Hendricks Pioneer on the date of6-24-98
measures as follows:
RATE INFORMATION:

- 1. Lowest classified rate paid by commercial users for comparable space per insertion: \$8.00 per inch
- 2. Maximum rate allowed by law for the above matter per insertion: \$7.90 per inch
- 7.90

Legal Rates:

1 insertion, \$ 7.90 per inch

3. Rate actually charged for the above matter: \$

2 insertions, \$15.80 per inch

3 insertions, \$23.70 per inch

Publisher, Hendricks Pioneer

per inch

Affidavit of Publication

upon proof of age as follows:

- A valid driver's license or identification card issued by the State of Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person; or
- A valid military identification card issued by the United States Department of Defense; or
- In the case of a foreign national, from a nation other than Canada, by a valid passport.

SECTION 4. SELF-SERVICE SALES.

- A. No licensee shall offer for sale single packages of cigarettes or smokeless; tobacco in open displays which are accessible to the public without the interpretation of a store employee.
- B. Cartons and other multipack units may be offered and sold through open displays accessible to the public.
- C. Section 4(B) of this ordinance will expire upon the effective date and implementation of Code of Federal Regulations, Title 21, Part 897.16(c).
- D. The self-service restrictions described in this Section 4 shall not apply to retail stores which derive at least 90% of their revenue from tobacco and tobacco related products and which cannot be entered at any time by persons younger than 18 years of age.

SECTION 5. VENDING MACHINE SALES.

No person shall sell tobacco products of from vending machines. This section does not apply to vending machines in facilities that cannot be entered at any time by persons younger than 18 years of age.

SECTION 6. PERSONS INELIGIBLE FOR LICENSE.

The County shall conduct unannounced compliance checks at least once each calendar year at each location where tobacco is sold to test compliance with Minnesota Statutes Section 609.685. Compliance checks shall utilize minors over the age of 15, but under the age of 18, who, with the prior written consent of a parent or guardian, attempt to purchase tobacco under the direct supervision of a law enforcement officer or an employee of the licensing authority.

This ordinance shall become effective after its passage and publication.

Dated: May 19, 1998.

Lincoln County Board of Commissioners BY: /s/ Robert Bloch Chairman

ATTEST:
/s/ D.D. Sagmoe
D.D. Sagmoe
Lincoln County Auditor

Published in the Tyler Tribute on June 25, 1998.

State of Minnesota)
) s
County of Lincoln)

Charles R. Hunt, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The Tyler Tribute, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

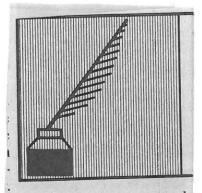
amended.
(B) The printed Legal Notice, Tobacco Ordi-
nance No. 32, Lincoln County
which is attached was cut from the columns of said newspaper, and was
printed and published once each week, for
successive weeks; it was first published on Thursday, the 35th
day of June, 19 98, and was thereafter printed and
published on every Thursday to and including Thursday, the
day of, 19; and printed below is a copy of the
lower case alphabet from A to Z, both inclusive, which is hereby
acknowledged as being the size and kind of type used in the
composition and publication of the notice.
abcdefghijklmnopqrstuvwxyz
BY: Chalis Q. Just
TITLE: Publisles
Subscribed and sworn to before me on this 35 day of
June, 19 98. Janut J. Neelsen Notary Public

JANET F NIELSEN

NOTARY PUBLIC-MINNESOTA COMMISSION EXPIRES 1-31-2000

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA } SS COUNTY OF LINCOLN



mon leaf diseases are caused by a fungus growth on the) leaves, not an insect so there are no natural pests that can e be used to prevent them ocp curring.

To detect these diseases look for circular brown spots t on leaf surfaces. We know of - these diseases as early blight, - late blight and septoria leaf if spot. Variations in the size of o the leaf spot as well as the i- number of spots per leaf will y

Cultural practices are also w important. Once you have e detected the disease, remove 1- the infected leaves or plants Charles R. Hunt, being duly sworn, on oath says that he is the publisher of the newspaper known as the Lincoln County Valley Journal, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed clipping which is attached was cut from the columns of said newspaper,		
and was printed and published once each week, forone successive weeks; it was		
first published on Wednesday, the 24 day of June, 1998, and was		
thereafter printed and published on every Wednesday to and including Wednesday, the		
<u>24</u> day of <u>June</u> , 1998.		

Publisher, Lincoln County Valley Journal

Subscribed and sworn to before me on

Notary Public

61 13	LAURA A. WELCH
	NOTARY PURILO
E SUP SH	MY COMMISSION EXPIRES 1-31-200
1834	EXPINES 1-31-200

y would include trees, shrub or parts of buildings such a th- under eaves, overhangs o doorways.

Once you locate a nest son spray an insecticide labele dio for wasps and hornets int ah the nest opening, Hahn say se Night is the best time to d this because the wasps at ller less active then.

He adds that wasps some

CERTIFICATE OF MEASUREMENT

I hereby certify that the legal notice entitled Tobacco Ordinance No:32	
as published in the Lincoln County Valley Journal on the date of June 24, 1998	
measures as follows:	
15 inches composition 1 times at \$3.50 per inch = \$48.75 RATE INFORMATION:	
Lowest classified rate paid by commercial users for comparable space per insertion: \$8.00 per inch	
Maximum rate allowed by law for the above matter per insertion: \$7.90 per inch	
Rate actually charged for the above matter: \$ per inch	

Legal Rates: 1 insertion, \$ 7.90 per inch

2 insertions, \$15.80 per inch 3 insertions, \$23.70 per inch

Publisher, Lincoln County Valley Journal

TOBACCO ORDINoni Engesmoe THE COUNTY BOARD OF THE COUNTY SECTION 1. LICENSE.

A. No person shall keep for retail sale, s tobacco product at any place in the County County. "Tobacco" is defined as and includ perique; granulated, plug cut, crimp cut, rea souff; snuff flour; Cavendish; plug and twis **Grade 10** tobaccos; shorts, refuse scraps, clippings, cother kinds and forms of tobacco, preparer Kyle Bunjer chewing or smoking in a pipe or other tobaccc Tammy Fryer

B. The annual license fee for a retail tobacc County Board. All retail tobacco licenses sha Mulder time period of January 1st to December 31st o Carrie Popowski required of any licensee who has obtained a

1998 issued by any jurisdiction at the time of th C. Every license shall be conspicuously por issued and shall be exhibited to any person upo

SECTION 2. SALES PROHIBITED TO MINORS. No person shall sell or offer to sell any toba

under eighteen (18) years of age. SECTION 3.

ADMINISTRATIVE PENALTIES.

A. If a licensee or employee of a licensee sell 18 years, or violates any other provision of charged an administrative penalty of \$75.00. must be imposed for a second violation at the sa initial violation. For a third violation at the sarr initial violation, an administrative penalty of licensee's authority to sell tobacco at that locatio seven days. No suspension or penalty may take notice, served personally or by mail, of the alle hearing before a person authorized by the County

B. An individual who sells tobacco to a perso charged an administrative penalty of \$50.00. individual has received notice, served personal Grade 7 and an opportunity for a hearing before a person Timothy Appel

C. It is an affirmative defense to the charge of Laura Eidem age of 18 years in violation of this ordinance that Garret Engelstad sale relied in good faith upon proof of age as followed Billy Frensko

1. A valid driver's license or identification car

A valid driver's license or identification car another state, or a province of Canada, and inclus of the licensed person; or

Andrew Gilligan 2. A valid military identification card issued b Sara Johnson Defense; or

3. In the case of a foreign national, from a na Alicia Lawrence passport.

SECTION 4. SELF-SERVICE SALES.

A. No licensee shall offer for sale single pact Donald Pavek tobacco in open displays which are accessible to the a store employee.

B. Cartons and other multipack units may be offer Grade 10 accessible to the public.

Lacy Leibfried

C. Section 4(B) of this ordinance will expir implementation of Code of Federal Regulations, TitleKyle Bunjer

D. The self-service restrictions described in this stores which derive at least 90% of their revenue fi Amanda Dritz products and which cannot be entered at any time by Tammy Fryer **Brett Lawrence** Teri Moe

SECTION 5. VENDING MACHINE SALES.

Amy Mulder No person shall sell tobacco products from vendicarrie Popowsk not apply to vending machines in facilities that calcarrie Popowsk persons younger than 18 years of age. SECTION 6. PERSONS INELIGIBLE FOR LICENSE. Stacy Sheik

The County shall conduct unannounced complia calendar year at each location where tobacco is Minnesota Statutes Section 609.685. Compliance che age of 15, but under the age of 18, who, with the prio guardian, attempt to purchase tobacco under the enforcement officer or an employee of the licensing aut

This ordinance shall become effective after its passa Dated: May 19 1998. Lincoln County Board of Commissioners

/s/ Robert Bloch Chairman ATTEST: /s/ D. D. Sagmoe D. D. Sagmoe Lincoln County Auditor

Published in the June 25, 1998 Ivanhoe Times

Affidavit of Publication

STATE OF MINNESOTA { SS County of Lincoln)

Brent and Ellen Beck, being duly sworn, on oath state that they are the co-publishers of this newspaper, The Ivanhoe Times, and have full knowledge of the facts which are stated below.

(A) The newspaper has complied with all the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331.... and other applicable laws, amended.

(B) The printed clipping which is attached was cut from the columns of said newspaper and was printed and published once each week, for
primed and published once each week, for _/
successive weeks; it was first published on Thursday
the <u>354h</u> day of <u>June</u> 1998 and
was thereafter printed and published on every
Thursday to and including Thursday theday
of
By: & Uln a Boch Publisher: Ivanhoe Times

Subscribed and sworn to me on 1998 25 M day of Jame Adam Nickolite INNESOTA Notary Public

CERTIFICATE OF MEASUREMENT

I hereby certify that the legal notice
entitled: Tobacco Ordinace No. 32
as published in the Ivanhoe Times on the date(s) of
June 25,1998 measures
as follows:inches of composition at
\$
s /20