



**Town of Barnstable  
Inspectional Services  
Public Health Division**

**Thomas McKean, Director**  
200 Main Street, Hyannis, MA 02601  
Office: 508-862-4644 Fax: 508-790-6304

<u>For Office Use Only:</u> Initials: _____	
<u>Date Paid</u> _____	<u>Amt Pd \$</u> _____
<u>Check #</u> _____	<u>Cash</u> _____

**ADULT ONLY RETAIL TOBACCO SALES PERMIT APPLICATION**

DATE \_\_\_\_\_ *NEW OWNER* \_\_\_\_\_ CHANGE IN OWNERSHIP \_\_\_\_\_ RENEWAL \_\_\_\_\_

**ADULT ONLY RETAIL TOBACCO SALES ESTABLISHMENT NAME:** \_\_\_\_\_

**ADDRESS OF TOBACCO ESTABLISHMENT:** \_\_\_\_\_

**MAILING ADDRESS (IF DIFFERENT FROM ABOVE):** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**TELEPHONE NUMBER OF TOBACCO ESTABLISHMENT:** (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

**OWNER'S NAME:** \_\_\_\_\_ **OWNER'S PH#** (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_ **D.O.B** \_\_\_\_\_

**OWNER'S ADDRESS:** \_\_\_\_\_

**CORPORATE ADDRESS:** \_\_\_\_\_ **CORPORATE FID#** \_\_\_\_\_

**ANNUAL:** \_\_\_\_\_ **SEASONAL:** \_\_\_\_\_ **DATES OF OPERATION:** \_\_/\_\_/\_\_ **TO** \_\_/\_\_/\_\_

**DAYS CLOSED EXCLUDING HOLIDAYS (EX. MONDAYS)** \_\_\_\_\_

**TOWN OF BARNSTABLE CODE/MA GENERAL LAW INTERNET LINKS:**

**TOWN OF BARNSTABLE TOBACCO CODE LINK FOR CHAPTER 371-9:**  
<https://www.ecode360.com/33996392>

**MA GENERAL LAW CHAPTER 270/SECTION 6:**  
<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter270/Section6>

**\*\*\*NEW BUSINESSES AND NEW OWNERS ONLY\*\*\*  
A HEARING BEFORE THE BOARD OF HEALTH IS REQUIRED. THE BOARD MEETS ONCE PER MONTH.**

**ALL APPLICANTS MUST SUBMIT THE FOLLOWING REQUIRED DOCUMENTS:**

1) MA State License to Sell Cigarettes	4) IRS Federal Tax ID# Document
2) MA State License to Sell Cigars and Smoking Tobacco	5) Proposed Floor Plan
3) MA State License for Sale of Electronic Nicotine Delivery Systems	6) List of Products Proposed to be Sold
	7) Payment of Fee(s) – see page 4

**ALL APPLICANTS ARE REQUIRED TO: CALL HEALTH DIVISION AT **508-862-4644** FOR AN INSPECTION PRIOR TO PERMIT BEING ISSUED.**

**SIGNATURE:** \_\_\_\_\_ **PRINTED NAME:** \_\_\_\_\_

DATE:      /      /     

\_\_\_\_\_  
ESTABLISHMENT'S NAME

**TOBACCO SALES  
Employee Signature Form**

This form is for official use to indicate that the employee(s) of this establishment received and understood **Chapter 371 of the Town of Barnstable Code** and Chapter 270 Section 6 of the Massachusetts General Laws which describes the penalties for selling and/or giving tobacco products to any person under the age of twenty-one (21). Below is Section 371-9. of the Town of Barnstable Board of Health Regulation:

**Sales to Minors – § 371-9. Sale and Distribution of Tobacco Products.**

1. No person shall sell or provide a tobacco product, as defined herein, to a person under The minimum legal sales age. The minimum legal sales age in the Town of Barnstable is **21 years of age**.
2. Identification: Each person selling or distributing tobacco products, as defined herein, shall verify the age of the purchaser by means of a valid government-issued photographic identification containing the bearer's date of birth that the purchaser is **21** years old or older. Verification is required for any person under the age of **27**.

The employee(s) below received and understood Section 371-9 of the Town of Barnstable Board of Health Prohibition of Smoking Regulation and Chapter 270 Section 6 of the Massachusetts General Laws:

_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date

TOBACCO SALES TO MINORS  
PROHIBITED BY MASSACHUSETTS GENERAL LAWS

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2. Identification: Each person selling or distributing tobacco products, as defined herein, shall verify the age of the purchaser by means of a valid government-issued photographic identification containing the bearer's date of birth that the purchaser is **21** years old or older. Verification is required for any person under the age of 27.

Persons, firms, corporations, or agencies selling tobacco products to minors or selling tobacco products without a tobacco sales permit shall be punished as follows:

- A. In the case of a first violation, a fine of one hundred dollars (\$100.00).
- B. In the case of a second violation within 24 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco Product Sales Permit shall be suspended for up to seven (7) consecutive business days.
- C. In the case of three or more violations within a 24-month period, a fine of three hundred dollars (\$300.00) and the Tobacco Product Sales Permit shall be suspended for up to thirty (30) consecutive business days.

In the case of four violations or repeated, egregious violations of this regulation, as determined by the Board of Health, within a 24-month period, the Board of Health shall hold a hearing in accordance with subsection 4 of this section and may permanently revoke a Tobacco Product Sales Permit.

**Posting State Law** – In conformance with Massachusetts General Laws, Chapter 270, Section 7, a copy of Massachusetts General Laws Chapter 270, Section 6 shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell cigarettes at retail. The notice to be posted shall be that notice provided by the Massachusetts Department of Public Health. Such notice shall be at least 48 square inches and shall be posted at the cash register which receives the greatest volume of single cigarette package sales in such a manner so this may be readily seen by a person standing at or approaching the cash register. Such notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than 4 feet or greater than 9 feet from the floor. For all other cash registers that sell cigarettes, a notice shall be attached which is no smaller than 9 square inches, which is the size of the sign provided by the Department of Public Health. Such notice must be posted in a manner so that it may be readily seen by a person standing at or approaching the cash register. Such notice shall directly face the purchaser and shall not be obstructed from view or placed at a height no less than 4 feet or more than 9 feet from the floor.

## MAIL-IN REQUESTS

Please mail the completed application form with your three supporting documents:

- 1) MA State License to Sell Cigarettes
- 2) MA State License to Sell Cigars and Smoking Tobacco
- 3) MA State License for Sale of Electronic Nicotine Delivery Systems
- 4) IRS Federal Tax ID# document

Along with a check payable to: **Town of Barnstable** to the address below:

**Town of Barnstable  
Public Health Division  
200 Main Street  
Hyannis, MA 02601**

## FOR FAXED REQUESTS

Our fax number is **(508) 790-6304**. The fax should include a completed application form along with the three supporting documents listed above. Mail a check payable to **Town of Barnstable** to the address listed above.

**FEES:** Tobacco = \$ 85, For New Establishment or New Ownership, additional non-refundable one-time fee = \$100 plus Tobacco Fee. Late Fee = \$10.