



# Tobacco Licensing in Chicago

## Facts about Selling Tobacco in Chicago (4-64)

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### What is a Tobacco License?

A Tobacco License is required for businesses in the City of Chicago engaged in the sale of tobacco or tobacco products. Selling tobacco is a privilege and comes with the responsibility of learning and complying with the rules and regulations.

### There Are Several Ways to Sell Tobacco

#### Retail Tobacco Sales - Over the Counter

This license is required to sell tobacco products and tobacco accessories at retail over the counter. For example: the sale of tobacco in a grocery store, convenience store, gas station, tavern, restaurant, billiard or bowling alley.

**APPLICATION FEE: \$330.00 per location + \$330.00 for each register selling tobacco.**

#### Vending Machine

This license is required to sell cigarettes at retail by way of a vending machine or similar device that dispenses cigarettes, papers or wrappings. The machine is only allowed inside a licensed Tavern. Each vending machine must be 25 ft. from any outside door and each machine requires an adhesive emblem issued by the Chicago City Clerk displaying the name of the vending operator.

**APPLICATION FEE: \$330.00 per location+ \$330.00 for each machine selling tobacco.**

#### Vending Machine Operator

This license is for people who are in the businesses of distributing, placing, leasing, selling or operating cigarette vending machines with an agreement to maintain, service or supply the machines.

**APPLICATION FEE: \$1000.00 per operator**

#### Wholesale Tobacco Dealer

This license is required for any person making, manufacturing, selling or keeping at wholesale any tobacco, snuff, cigars, cigarettes, or cigarette papers or any preparations containing tobacco. Wholesalers who also sell at Retail require a Retail Tobacco License.

**APPLICATION FEE: \$1100.00 per operator**

*All licenses are renewable every two years*

### Requirements to obtain a Tobacco License:

- ✓ The exact business address, a description of the business activity and the square footage of the business location.
- ✓ Drivers License, State ID, or another government issued photo ID.
- ✓ Name, address, social security number and official photo ID for every owner, corporate officer or any person having 25% or more interest in the business.
- ✓ Federal Employer Identification Number (FEIN).
- ✓ State of Illinois Business Tax Number (IBT).

## Additional Requirements:

- ✓ A criminal background check for every owner, corporate officer or any person having 25% or more interest in the business.
- ✓ Tobacco licenses are not permitted within 100 ft. of a school, day care, or facility used primarily for education or recreation of children under 18 years of age. The measurement is from property line to property line.
- ✓ The business activity must be reviewed and approved by the Department of Zoning, your application will automatically be sent to zoning for a review.
- ✓ Retail Tobacco and Vending Machine applicants are subject to a DBA onsite inspection to ensure compliance with all tobacco requirements.
- ✓ Any City debt must be resolved prior to the issuance or renewal of any Business License.

## Tobacco Rules:

DBA conducts investigations to ensure compliance with all of the above mentioned tobacco regulations. **Violations of the following tobacco regulations are subject to fines or revocation of your Tobacco License.**

- The sale of cigarettes to minors (under 18) is illegal.
- The posting of warning signs to minors is required and are provided at no cost by DBA.
- The sale of loose cigarettes is illegal.
- The sale of Bidi cigarettes is illegal.
- Cigarettes must have the appropriate City of Chicago and State of Illinois tax stamps in their original packaging.
- Cigarettes to be sold at retail must be purchased from a licensed tobacco wholesaler.
- Cigarettes may not be sold on the street.

## Smoking Rules:

As of January 1<sup>st</sup>, 2008, the State of Illinois Smoke Free Act and the City of Chicago Clean Indoor Ordinance bans smoking in almost all public places or in any place of employment or within 15 ft. of any entrance to a public place or place of employment.

Tobacco retailers licensed after January 1, 2008 may allow smoking only if 80% of gross income is derived from the sale of tobacco or tobacco accessories. In addition, you are not permitted to have any food or liquor licenses **and** the business must be located in a freestanding building occupied solely by the business where smoke does not migrate into an enclosed area where smoking is prohibited.

## Hookah Establishments:

Businesses applying for a retail tobacco license for use as a retail tobacco store that provides services and devices for smoking on the premises will require a "special use" for all B & C Zoning districts. Prior uses are grandfathered in. Effective date is 9/8/10.

## How Do I Apply?

You can apply online (for the retail sector only) or in person at the Department of Business Affairs & Consumer Protection, 121 N. LaSalle St. City Hall, Room 800. Hours are Monday-Friday 8:30am-4:30pm. You can start by downloading the Business Information Sheet (BIS) at [www.cityofchicago.org/bacp](http://www.cityofchicago.org/bacp). An appointment is recommended and can be made online or by calling (312) 74-GOBIZ / 744-6249.

