



CIGARETTE BUSINESS INFORMATION

ccl-cig 10/30/13

Office of the City Clerk License Division

200 E. Wells St. Room 105, Milwaukee, WI 53202

(414) 286-2238 e-mail address: license@milwaukee.gov www.milwaukee.gov/license

Who needs a Cigarette License?

It shall be unlawful for any person, firm or corporation in any manner, or upon any pretense, or by any device, directly or indirectly, to sell, exchange, barter, dispose of or give away, any cigarettes or tobacco products without a license.

Definitions

CIGARETTES

Any roll of tobacco in paper or any substance other than tobacco. Tobacco products: cigars; cheroots; stories; 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; clipping; cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such a manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing or smoking.

License Period

Annual; expires one year from the date of issuance.

Fee

\$100

Forms Needed

- ccl-bapp – Business Application
- ccl-cig1 –Cigarette & Tobacco Business Supplemental Application

Copy of Seller's Permit Required

A copy of your current Wisconsin Seller's Permit must be submitted with the application. The Seller's Permit must be issued in the same name as the legal entity applying for the license. Applications submitted without the Seller's Permit are incomplete and will be returned. Providing only the Seller's Permit number does not meet this requirement.

Fingerprints

Not required

Federal Employer ID Number

A Federal Employer Identification Number (FEIN) must also be provided. This is obtained from the Internal Revenue Service, U.S. Department of Treasury, 1-800-829-4933, www.irs.gov/businesses/. Your Social Security Number cannot be used as your FEIN. Individual applicants or Limited Liability Company applicants with only one member are not required to provide an FEIN.

Underage Sign Required

The owner or operator of a premises licensed to sell cigarettes or tobacco products shall post a sign in the immediate area where those products are sold, stating that the sale of any cigarettes or tobacco products to a person under the age of 18 is unlawful under s.106-23-3-a, MCO and ss.134.66 and 254.92, Wis. Stats.

Records to be Kept

Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. The records shall be preserved on the licensed premises for 2 years in a manner to ensure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

Ban on Flavored Cigarettes Enacted

It is illegal to sell fruit-, candy-, or clove-flavored cigarettes. On September 22, 2009, the U.S. Food & Drug Administration announced a ban on cigarettes with flavors characterizing fruit, candy or clove.

Vending Machines Are Now Illegal

It is illegal to sell cigarettes through vending machines according to a new Federal Drug Administration rule which went into effect June 22, 2010.

Tobacco Products Distributor Permit

A state-issued Tobacco Products Distributor Permit is required if you are purchasing non-Wisconsin taxed tobacco products from outside Wisconsin.

The CTP-129: Application For Cigarette And Tobacco Products Permits/Registration form can be found at <http://www.revenue.wi.gov/forms/excise/ctp-129.pdf>

Secondhand Dealer License

If you purchase, sell or exchange any secondhand articles of personal property (including used cell phones), you will also need to apply for a Secondhand Dealer License. "Secondhand" means previously owned by a member of the general public immediately prior to your transaction. This application is also acquired from the License Division.

City of Milwaukee Ordinance Regulations

- MCO 84-43
- MCO 106-30
- Available online at www.milwaukee.gov/ordinances

Supplemental Application for Cigarette and Tobacco Products License ccl-cig1 7/30/13

Applicant's Wisconsin 15-digit Sales Tax Account Number

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← This must be issued in the same legal name of the licensee below.

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|---|--|
| Legal Name (corporation, llc, partnership or sole proprietor) | Federal Employer Identification No. (FEIN) |
| Trade or Business Name | Business Telephone Number |
| Premises Address | Business Located in City of Milwaukee; Milwaukee County |
| Mailing Address | |

1. Type of Legal Entity (check one)
 - Sole Proprietor Partnership Corporation/LLC, enter date incorporated: _____
 - Out of State Corporation/LLC – Are you registered to do business in Wisconsin? Yes No

2. List in the space provided below the exact location in the building where cigarettes and tobacco products will be sold.
 Note: It is illegal to sell cigarettes through vending machines according to a Federal Drug Administration rule which went into effect June 22, 2010. _____

3. Do you understand that it is illegal to sell fruit-, candy-, or clove-flavored cigarettes? Yes No
4. Identify the type of business offering cigarettes and tobacco products for sale. Check (√) one, and describe (if "Other"):
 Retail Food Store Filling Station/Convenience Store Other: _____
5. Does the applicant understand that they must purchase cigarettes only from manufacturers, distributors or jobbers who hold a permit with the Wisconsin Department of Revenue? Yes No
6. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-261-6435.) Yes No
7. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner? Yes No
8. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health and Family Services? (SmokeCheck.org) Yes No
9. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products to minors? Yes No
10. Does the applicant understand that they may not sell single cigarettes? Yes No
11. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products? Yes No
12. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at www.doj.state.wi.us/dls/tobacco/index.html may be sold in Wisconsin? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Signature of Sole Proprietor/Partner/Agent or 20% or More Owner: _____

Date: _____ Print Name: _____

SUBMIT THIS FORM ALONG WITH THE "BUSINESS LICENSE APPLICATION"