

CITY OF NEWTON

IN BOARD OF ALDERMEN

ORDINANCE NO. Z-55

November 16, 2009

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to **Section 20-2. Sale of Tobacco Products**, as follows:

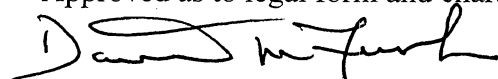
1. By inserting in paragraph (b) *Definitions*, the following new definition:

Health care provider: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services or employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health under M.G.L. c. 112. Health care provider includes hospitals, clinics, health centers, pharmacies, drug stores and doctor and dentist offices.

2. By inserting, after paragraph (g) *Self service displays*, a new paragraph (h) as follows, and by renumbering paragraphs (h) and (i), respectively, as paragraphs (i) and (j):

(h) *Prohibition of the Sale of Tobacco Products by Health Care Providers:*
 No health care provider located in the City of Newton shall sell tobacco products or cause tobacco products to be sold. No retail establishment that operates maintains or employs a health care provider within it, such as a pharmacy or drug store, shall sell tobacco products or cause tobacco products to be sold.

Approved as to legal form and character:



DANIEL M. FUNK
City Solicitor

RECEIVED

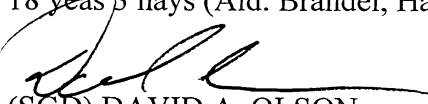
NOV 25 2009

MAYOR'S OFFICE

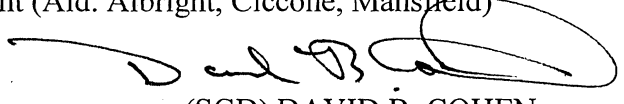
Under Suspension of Rules

Readings Waived and Adopted

18 yeas 3 nays (Ald. Brandel, Harney, Sangiolo) 3 absent (Ald. Albright, Ciccone, Mansfield)



(SGD) DAVID A. OLSON
City Clerk



(SGD) DAVID B. COHEN
Mayor

12/1/09