



Town of Upton

Board of Health

1 Main Street, Box 3, Upton, MA 01568
Tel. : 508-529-6813 Fax: 508-529-0010
Email: dtiernan@uptonma.gov

BOH USE ONLY

PERMIT # _____

ISSUE DATE: _____

APPLICATION FOR TOBACCO SALES PERMIT

Date: _____

Fee: \$100.00 (*payable to: Town of Upton*). Permits expire September 1st. If paying after September 11th, an additional \$10.00 late fee applies.

This permit is non-transferable.

NAME OF BUSINESS: _____

BUSINESS ADDRESS: _____

MAILING ADDRESS: _____

TELEPHONE: _____

PERSON RESPONSIBLE FOR THE BUSINESS – SEE ITALICIZED SECTION ON REVERSE SIDE

- If the business is a sole proprietorship, the information provided below should be for the proprietor (owner).
- If the business is a corporation, the information provided below should be for an officer of the corporation who will be held liable for any criminal acts of the corporation.
- If the business is a partnership, the information provided below should be for a partner who will be held liable for any criminal acts of the partnership.

Name of Business: _____

Federal Identification Number or Social Security #: _____

Name of Person Responsible for the Business: _____

Address of Person Responsible for the Business: _____

Telephone Number: _____

Date of Birth for Person Responsible for Business: _____

This application must be filled out completely before a permit will be issued. Uncomplete applications will be returned.

I, the undersigned applicant, agree to the conditions listed on the back of this application.

Applicant's signature: _____

CONDITIONS FOR TOBACCO SALES PERMIT

- Tobacco Sales Permits are non-transferable and are only valid for the applicant at the location indicated on the front of this application.
- Tobacco Sales Permits must be renewed yearly, by August 31st of each year. It is my responsibility as applicant/permit holder to apply for a permit each year.
- I agree to abide by all laws concerning tobacco, including, but not limited to: Regulations, Bylaws, Codes and/or Statutes of the Upton Board of Health, the Town of Upton, the Commonwealth of Massachusetts, and laws of the United States (including FDA regulations). It is my responsibility, as the applicant/permit holder, to learn these laws and to follow all applicable laws. Failure to follow these laws may result in a fine and/or suspension/revocation/non-renewal of my tobacco permit, as well as possible suspension/revocation/non-renewal of non-tobacco permits issued by the Upton Board of Health and the Town of Upton.
- I acknowledge that my establishment will be regularly inspected by a Upton Board of Health member or agent to ensure compliance with all applicable laws. Inspections may include compliance checks in which a minor (a person under 18 years of age) attempts to purchase tobacco products from my establishment. Because both federal law and Upton regulations require that identification be checked when purchasers appear to be under 27, it is possible that minors participating in compliance checks may be over 17 years old, but under 18. I understand that my establishment will be in violation of federal, state and Upton laws if my store sells any tobacco product to a minor. Identification must be checked to confirm age.
- I understand that it is my responsibility to properly train my employees/agents of all laws concerning tobacco.
- I understand that all penalties will be applied to the holder of the tobacco permit.
- I understand that if a citation is issued as the result of a violation of the Upton Board of Health regulations, I will have the following options:
 - the fine can be paid in full, within 21 days of the notice to the Town of Upton. Payment of the fine will operate as final disposition of the matter and there will be no resulting criminal record.
 - within 21 days of the notice, if I elect, the matter can be contested in a non-criminal hearing.

Failure to pay fines or to appear at a hearing, even a hearing which I have requested, will result in a criminal complaint being issued against the person listed on the front of this application, as the person responsible for the business.

- It is the right of the Upton Board of Health to modify its regulations at any time, with notice as required by law.
- Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required by law.