

(2) GARRETT COUNTY.

15-102.

(A) IN THIS SECTION, "TOBACCO PRODUCT" MEANS CIGARETTES, CIGARS, SMOKING TOBACCO, SNUFF, SMOKELESS TOBACCO, OR ANY SIMILAR PRODUCT CONTAINING TOBACCO.

(B) THIS SECTION DOES NOT APPLY TO:

(1) THE SALE OF A TOBACCO PRODUCT FROM A VENDING MACHINE THAT COMPLIES WITH THE REQUIREMENTS OF STATE LAW;

(2) A TOBACCONIST ESTABLISHMENT THAT ENGAGES PRIMARILY IN THE SALE OF TOBACCO PRODUCTS OTHER THAN CIGARETTES, AS DEFINED IN § 16-101 OF THE BUSINESS REGULATION ARTICLE; OR

(3) A BUSINESS THAT ENGAGES PRIMARILY IN THE SALE OF BEER, WINE, AND LIQUOR FOR RETAIL.

(C) A PERSON WHO OWNS OR OPERATES A BUSINESS THAT ENGAGES IN THE RETAIL SALE OF A TOBACCO PRODUCT MAY NOT STORE OR DISPLAY A TOBACCO PRODUCT UNLESS THE TOBACCO PRODUCT:

(1) IS NOT IMMEDIATELY ACCESSIBLE TO CUSTOMERS; AND

(2) IS ACCESSIBLE ONLY TO THE OWNER OR OPERATOR OF THE BUSINESS OR AN AGENT OR EMPLOYEE OF THE OWNER OR OPERATOR.

(D) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS COMMITTING A CIVIL INFRACTION AND IS SUBJECT TO A CIVIL PENALTY OF:

(1) \$100 FOR THE FIRST VIOLATION; AND

(2) \$300 FOR ANY SUBSEQUENT VIOLATION.

(E) A CITATION FOR A SECOND VIOLATION MAY NOT BE ISSUED WITHIN 30 DAYS AFTER THE DATE OF THE FIRST CITATION.

(F) AFTER A CITATION IS ISSUED FOR A SECOND VIOLATION, A CITATION MAY BE ISSUED EACH DAY THAT THE VIOLATION CONTINUES AFTER THE DATE OF THE SECOND CITATION.

15-103.

(A) A COUNTY HEALTH OFFICER OR A DESIGNEE OF A COUNTY HEALTH OFFICER MAY ISSUE A CIVIL CITATION TO A PERSON WHO VIOLATES § 15-102 OF THIS TITLE.

(B) A CITATION ISSUED UNDER THIS TITLE SHALL INCLUDE:

(1) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(2) THE NATURE OF THE VIOLATION;