



Erie County
Department of
Health



Public Health



**TOBACCO PRODUCT,
VAPOR PRODUCT &
SMOKING
PARAPHERNALIA
RETAIL BUSINESSES
PERMIT TO OPERATE**



**EFFECTIVE OCTOBER 1, 2024
A PERMIT TO OPERATE IS REQUIRED**

**WHAT TYPE OF BUSINESSES REQUIRE A
PERMIT TO OPERATE?**

Erie County Sanitary Code Article XXIII applies to **ALL** Retail Businesses that sell Tobacco Products, Vapor Products and/or Smoking Paraphernalia Products in Erie County.

HOW DO YOU GET A PERMIT?

The Operator **MUST** file an application for a permit using the Erie County Department of Health (ECDOH) specified form. All applications are **due SEPTEMBER 1, 2024**. Permits are not transferrable or assignable and shall expire upon a change of name, owner or operator of the facility or **12 months** after date of issue. Thereafter, an application must be received within 30 days of anticipated operation of the facility or expiration of the current permit.

WHEN WILL THE PERMIT BE ISSUED?

A permit will be issued if the business conforms or will conform at the time of operation to the requirements of this article and will not present a hazard to the health and safety of the employees and the general public. The applicants past history of compliance or non-compliance will be a consideration in issuance of a permit

HOW LONG IS THE PERMIT VALID?

The permit is issued for a period of not more than one year from the date of issuance. A permit may be revoked or suspended if the business is maintained in violation of the NYS Public Health Law, the Erie County Sanitary Code or other applicable laws, rules or codes. The permit **MUST** be posted in a conspicuous place in the view of the public.

ARE INSPECTIONS REQUIRED?

Yes – The Department , without hinderance, may make inspections to determine compliance with the provisions of the New York State Public Health Law and the Erie County Sanitary Code. The Department is authorized, by the permit, to enter, examine and survey all retail areas, storage areas and office areas of the business for purpose of an inspection.

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