



4400 New Jersey Avenue  
Wildwood, NJ 08260  
609-522-2444

## **ELECTRONIC SMOKING DEVICE PRODUCT SALES**

- Pursuant to New Jersey state law, ALL electronic smoking device products possessing or indicating a characterizing flavor have been illegal to sell since April of 2020.
- Electronic smoking device product sales involving selling, distributing, or providing any e-cigarette to anyone under the age of 21 and all sales of flavored e-cigarette products, regardless of whether they contain nicotine, is prohibited.
- It is unlawful in New Jersey for any retailer to give away electronic smoking device products or to accept related coupons.
- Operating a business that sells any type of electronic smoking device and related products without first securing a license from the City of Wildwood and keeping said license in good standing will result in fines and potential mercantile license suspension.
- Fines for retail electronic smoking device product sales violations are \$1,000 for the 1<sup>st</sup> offense, \$1,500 for the 2<sup>nd</sup> offense and \$2,000 for the 3<sup>rd</sup> offense in addition to any potential criminal charges.
- Any establishment with two (2) violations per year or five (5) total violations will be subject to permanent license revocation at the discretion of the Mayor and Commissioners.
- Random inspections of retail electronic smoking device product establishments will be made by City of Wildwood Code Enforcement and Police Department, as necessary, to determine compliance with proper signage, underage and flavored product sales and other regulations.
- Please make sure you are updated on all current ordinances and laws pertaining to the sale of all electronic smoking device products as there will be a "Zero-tolerance" policy as it pertains to violations.
- The Retail Electronic Smoking Device Establishment License is in addition to the Mercantile License. An application, inspection and license will be required annually in order to obtain the Retail Electronic Smoking Device Establishment License.

[www.wildwoodnj.org](http://www.wildwoodnj.org)





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## RETAIL ELECTRONIC SMOKING DEVICE ESTABLISHMENT LICENSE APPLICATION

**Please complete all fields. A copy of your driver's license or a government-issued photographic identification must be submitted with this application.**

TYPE OF APPLICATION	APPLICATION FEE
<input type="checkbox"/> Initial Application	<input type="checkbox"/> Retail License \$500.00
<input type="checkbox"/> Renewal Application	<input type="checkbox"/> Manufacturer License \$500.00

### Important Information:

- **The sale of flavored delivery products (e-cigs, vaping devices, cartridges, etc.) is prohibited in pursuant to New Jersey Statutes, 2A:170-51.12. Flavored delivery products were banned for sale on April 20, 2020 in the State of New Jersey. It is illegal to sell flavored delivery products in NJ.**
- No person shall sell tobacco/nicotine or nicotine-free delivery products to any person under the age of 21 or give tobacco/nicotine or nicotine-free delivery products to any person under the age of 21. Entry is prohibited to anyone under the age of 21.
- Do not include information on traditional tobacco products (cigarettes, cigars, cigarillos, loose tobacco, etc.) on this application.
- Licenses are valid from May 1<sup>st</sup> through April 30<sup>th</sup> of the subsequent year. Licenses are not transferable. License is void with change of ownership. License fees are not prorated.
- Please visit [www.wildwoodnj.org](http://www.wildwoodnj.org) for complete ordinance on "E360". Make all checks payable to the City of Wildwood
- Question should be directed to the City Clerk's office or the Code Enforcement Office.



### **SECTION 1. Establishment Information**

Establishment Trade Name \_\_\_\_\_  
Address of Establishment \_\_\_\_\_  
Block \_\_\_\_\_ Lot \_\_\_\_\_  
Establishment Phone # \_\_\_\_\_  
Establishment Fax # \_\_\_\_\_  
Establishment Email \_\_\_\_\_  
Establishment Manager/Person in Charge (PIC) \_\_\_\_\_  
Manager/PIV Phone # \_\_\_\_\_  
Emergency Phone # \_\_\_\_\_

### **SECTION 2. Ownership Information**

Typers of Ownership      ☐ Individual   ☐ Partnership   ☐ Corporation   ☐ LLC  
☐ Other \_\_\_\_\_

Please attach separate sheet if necessary

Business Owner Name(s) \_\_\_\_\_  
Title/Position (President, VP, Director, Officer, etc.) \_\_\_\_\_  
Business Owner Home/Mailing Address \_\_\_\_\_  
Business Owner Phone # \_\_\_\_\_ Email \_\_\_\_\_  
Correspondence Address \_\_\_\_\_

Property Owner Name(s) \_\_\_\_\_ Phone # \_\_\_\_\_  
Property Owner Home/Mailing Address \_\_\_\_\_

### **SECTION 3. Business Operations**

#### **Statutory Requirements – Manufacturing, Preparation, Compounding or Processing**

Every individual who owns or operates any establishment that engages in the manufacture, preparation, compounding or processing of electronic smoking or vapor devices, components, cartridges or related products must register with the Food and Drug Administration (FDA) as required by section 905 of the Food, Drug and Cosmetic Act. For more information and registration requirements, please visit <https://www.fda.gov/tobacco-products/compliance-enforcementtraining/manufacturing>.

***NOTE: You must provide the City of Wildwood with proof of application to the FDA***

DATE OF APPLICATION TO FDA	STATUS (Approved, Pending, Denied)



**Type of Operation** (check all that apply):

- ☐ **Blending**   ☐ **Manufacturing**   ☐ **Reconstructing**   ☐ **Packaging**  
☐ **Labeling**   ☐ **Saucing (or casing)**   ☐ **Other** \_\_\_\_\_

**Product Listing & Ordinance Requirements (APPENDIX A) – Sale or Distribution**

Individuals must identify the electronic smoking or vapor device(s), component(s), cartridge(s) or related product(s) that are manufactured, prepared, compounded or processed within the licensed establishment.

Establishments selling or distributing electronic smoking or vapor devices, components, cartridges or related products must provide contact information for the manufacturer or distributor or other business(es) where electronic smoking or vapor devices, components, cartridges or related products are purchased. In the table below, please identify the type of electronic smoking or vapor devices, components, cartridges or related products sold or distributed and the distributor and/or manufacturer information for said product.

**\*Using the following list, please indicate \*Product Type\* in the table below:**

ENDS Open	ENDS Closed	ENDS Drip Well/Tip	ENDS Adapter
ENDS Atomizer	ENDS Battery	ENDS Bridge	ENDS Cartomizer
ENDS Software	ENDS Coil	ENDS Charger	ENDS Mouthpiece
ENDS Tank	E-Liquid	ENDS Filler Material	
ENDS Cartridge E-Liquid (specify)		ENDS Digital Display/Lights	Other

**Please attach separate sheet(s) if necessary**

**Product Name** \_\_\_\_\_  
**\*Product Type\*** \_\_\_\_\_  
**Distributor/Manufacturer** \_\_\_\_\_  
**Business Street Address** \_\_\_\_\_  
**Business Phone Number** \_\_\_\_\_

**Product Name** \_\_\_\_\_  
**\*Product Type\*** \_\_\_\_\_  
**Distributor/Manufacturer** \_\_\_\_\_  
**Business Street Address** \_\_\_\_\_  
**Business Phone Number** \_\_\_\_\_

**Product Name** \_\_\_\_\_  
**\*Product Type\*** \_\_\_\_\_  
**Distributor/Manufacturer** \_\_\_\_\_  
**Business Street Address** \_\_\_\_\_  
**Business Phone Number** \_\_\_\_\_



#### **SECTION 4. Certification & Signature**

Applicant agrees to comply, and abide by, all the provisions of N.J.S.A. 2A:170-51 et seq. and all local codes regulating retail electronic smoking device establishments. By operating a business in the City of Wildwood, legal action may be taken for non-compliance of State and municipal laws, along with the suspension or revocation of license upon violation of such codes.

Additionally, violations pertaining to the sale of any product to a minor may be reported to the New Jersey Department of Taxation for further enforcement action(s) as prescribed by law. If any of the information in this application changes, the applicant must inform the City of Wildwood Code Enforcement Officer of those changes. Applicant further certifies that the email listed is a reliable form of communication.

By signing below, I certify that the information provided on this form is true, correct, and complete to the best of my knowledge and further understand that if the above information is willfully false, may result in legal action including closure of the retail electronic smoking device establishments.

***FOR NEW APPLICATIONS ONLY:*** I understand that the City of Wildwood has not yet considered this retail electronic smoking device establishment license application. The applicant will not operate the retail electronic smoking device establishment until an actual license from the City of Wildwood is issued to the applicant.

<b>PRINTED NAME</b>		<b>TITLE/POSITION</b>	
<b>SIGNATURE</b>		<b>DATE</b>	
<b>***OFFICIAL USE ONLY***</b>			
<b>Date Received</b>	<b>Received By</b>	<b>Fee Collected</b>	<b>Form</b>
<b>Code Enforcement Officer/Designee Signature/Approval</b>			<b>Date</b>
<b>Comments:</b>			