



**CITY OF ARDEN HILLS  
COUNTY OF RAMSEY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2021-009**

**RESOLUTION STAYING EFFECTIVE DATE OF ORDINANCE RELATING TO SALE  
OF FLAVORED TOBACCO PRODUCTS AT ADULTS-ONLY TOBACCO STORES**

**WHEREAS**, on March 25, 2019 the City Council adopted Ordinance 2019-005 prohibiting the sale of tobacco products to persons under 21 and prohibiting the sale of flavored tobacco products within the City, and;

**WHEREAS**, on September 6, 2019, Arden Hills Tobacco, Inc. filed a lawsuit against the City in Ramsey County District Court challenging that portion of the ordinance prohibiting the sale of flavored tobacco products;

**WHEREAS**, on October 9, 2019, Arden Hills Tobacco, Inc. filed a Motion for Temporary Injunction seeking to enjoin the City's "ordinance banning the sale of flavored tobacco products from going into effect or being enforced";

**WHEREAS**, on October 28, 2019, the City adopted Resolution 2019-036 suspending the effective date of Ordinance 2019-005 for the portion relating to the sale of flavored tobacco products until the Ramsey County District court entered final judgment in the lawsuit, or December 31, 2020, whichever came first;

**WHEREAS**, on August 24, 2020, the City adopted Resolution 2020-031 suspending the effective date of Ordinance 2019-005 for the portion relating to the sale of flavored tobacco products until the Ramsey County District Court entered final judgment in the lawsuit;

**WHEREAS**, Plaintiff Arden Hills Tobacco, Inc. and the City have agreed to a settlement of the lawsuit, under which the City agreed to suspend enforcement of those parts of Arden Hills Code of Ordinances Section 350 that prohibit the sale of flavored tobacco products against adults-only tobacco stores, including Arden Hills Tobacco, Inc., until July 1, 2023.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ARDEN HILLS, MINNESOTA:**

1. The portion of Ordinance 2019-005 prohibiting the sale of flavored tobacco products within the City, in particular the amendments to Section 350.06 of the City Code, is hereby stayed against adults-only tobacco stores, including Arden Hills Tobacco, Inc., until July 1, 2023.
2. The City Clerk shall promptly notify all current tobacco licensees of this action.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF ARDEN HILLS THIS 22<sup>ND</sup> DAY OF FEBRUARY 2021.**

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**David Grant, Mayor**

**ATTEST:**

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**Julie Hanson, City Clerk**