

## COMPREHENSIVE SALES RUBRIC

Fields	Category	Max Points	ANRF Suggested Weighting (Points)
County Name	Core Variable		
County FIPS Code	Core Variable		
City Name <i>or</i> Unincorporated ( <i>for County</i> )	Core Variable		
City FIPS Code	Core Variable		
Policy Type	Core Variable		
Most Recent Date Enacted	Core Variable		
Most Recent Effective Date	Core Variable		
Final Enforcement Date	Core Variable		
Model Policy Date	Core Variable		
Filename	Core Variable		
1. Does the community require a local tobacco retail license (TRL)?	Restrictiveness	8	Yes=8; No=0
1a. If there is a TRL, is the local applicant required to have a State TRL?	Tracking	0	Yes; No; Not Specified
1a1. Must the State TRL be displayed?	Tracking	0	Yes; No; Not Specified
1b. If there is a TRL, what is the initial license fee?	Tracking	0	Text field
1c. What is the term of the TRL, if there is one?	Restrictiveness	1	Yes, 1 year term or less=1; Longer than 1 year/No mention of the term/No TRL=0
1d. What is the fee for the renewal of the TRL, if there is one?	Tracking	0	Text field
1e. Does the policy specify that the fee be used to cover administration/enforcement costs?	Tracking	0	Yes; No; Not Specified
1f. If there is a TRL, is there a provision in the policy to submit a reinstatement application fee to renew an expired license?	Enforcement	1	Yes=1; No/Not Specified =0
1g. If there is a TRL, is it nontransferable from one proprietor to another?	Restrictiveness	1	Yes=1; No/Not Specified=0
1h. If there is a TRL, is it nontransferable from one store to another?	Restrictiveness	1	Yes=1; No/Not Specified=0
2. Does the policy apply to sale of combustible <u>smoking tobacco</u> products such as cigarettes, cigars, little cigars, hookah/shisha tobacco, and pipe tobacco?	Specificity	2	Yes, applies to all combustible products without exception=2; Partial/No/Unclear=0
2a. If Partial, specify.	Tracking	0	Text field
2b. If Yes/Partial, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No
3. Does the policy apply to sale of all <u>smokeless</u> tobacco products such as chew, snuff, snus, dissolvables, etc.?	Specificity	2	Yes, applies to all smokeless tobacco products without exception=2; Partial/No/Unclear=0
3a. If Partial, specify.	Tracking	0	Text field

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3b. If Yes/Partial, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No
4. Does the policy apply to sale of tobacco-free nicotine products <u>other than electronic smoking devices (ESDs)</u> (e.g. lozenges, pouches like Zyn, etc.)?	Specificity	2	Yes, applies to all tobacco-free nicotine products without exception=2; Partial/No/Unclear=0
4a. If Partial, specify.	Tracking	0	Text field
4b. If Yes/Partial, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No
5. Does the policy apply to sale of ESDs (including but not limited to e-cigarettes, e-hookah, vape pens, e-liquids, etc.)?	Specificity	2	Yes, applies to all ESDs without exception=2; Partial=1; No/Unclear/Not Applicable=0
5a. If Partial, specify.	Tracking	0	Text field
5b. If the policy fully or partially applies to the sale of ESDs, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No; N/A
6. Does the policy apply to sale of heated tobacco products (e.g. IQOS)?	Specificity	2	Yes, applies to all heated tobacco products without exception=2; Partial/No/Unclear=0
6a. If Partial, specify.	Tracking	0	Text field
6b. If Yes/Partial, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No
7. Does the policy apply to the sale of paraphernalia and/or components, parts, or accessories of a regulated product, whether or not sold separately?	Specificity	2	Yes, in some manner=2; No/Unclear/Not Specified=0
7a. If Yes or Partial, are some or all of the provisions set out within the framework of a TRL?	Tracking	0	Yes; No
8. Does the policy <b>and the sale</b> of all tobacco leaf products, whether smoked or ingested (excluding ESDs)?	Restrictiveness	5	Yes=5; Partial - Venue(s)=3; Partial - Product(s)=1; No=0  If 8a and 8b both apply, point value=1.
8a. If Partial - Venue(s), specify coverage (e.g. cigar bars exempt).	Tracking	0	Text field
8b. If Partial - Product(s), specify coverage (e.g. premium tobacco/cigars exempt).	Tracking	0	Text field
8c. If Yes or Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No

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9. Does the policy <b>end the sale</b> of all ESDs including but not limited to e-cigarettes, e-hookah, vape pens, e-liquids, etc.?	Restrictiveness	5	Yes=5; Partial=3; No=0
9a. If Partial, are products authorized for sale by FDA exempt?	Tracking	0	Yes; No
9b. If Partial, are adult-only/specialty retailers exempt?	Tracking	0	Yes; No
9c. If Other Partial, specify.	Tracking	0	Text field
9d. If Yes or Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
10. Does the policy <b>end the sale</b> of all non-therapeutic nicotine derived products other than those covered in 8 and 9?	Restrictiveness	5	Yes=5; Partial=3; No=0
10a. If Partial, specify.	Tracking	0	Text field
10b. If Yes or Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
11. Does the policy <b>end the sale</b> of “tobacco look-alike” edible products such as candy cigarettes/gum/cigars?	Tracking	0	Yes; No
12. Does the policy require a certain percentage of windows and doors to be clear of signage?	Restrictiveness	3	No advertising permitted (100% of space is clear)=3; 67%-99% is clear=2; 34%-66% is clear=1; 33% per state law requirement, or less, is clear=0
12a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
13. Does the policy require licensees to display the local TRL at the licensed location?	Restrictiveness	1	Yes=1; No/Not Specified=0
14. Does the policy require a clerk to check the ID of a purchaser of regulated products and/or paraphernalia who appears under a certain age greater than 21 (e.g. 27)?	Enforcement	1	Yes=1; No=0
14a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
15. Does the policy require clerks engaged in product retailing be at least 21 years old (the minimum age to which tobacco products may be sold)?	Enforcement	1	Yes=1; No=0
15a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
16. Are retailers with a suspended or revoked TRL required to keep all regulated products and/or paraphernalia out of public view?	Enforcement	1	Yes=1; No/No TRL=0

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17. Are retailers with a suspended or revoked TRL required to keep all regulated products and/or paraphernalia-related advertisements out of public view?	Enforcement	1	Yes=1; No/No TRL=0
18. Does the policy require that sale of tobacco leaf products be limited to persons 21 and over?	Restrictiveness	2	Yes=2; Partial=1; No=0
18a. If Partial, specify (e.g. active duty military exempt)?	Tracking	0	Text field
18b. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
19. Does the policy require that sale of ESD products be limited to persons 21 and over?	Restrictiveness	2	Yes=2; Partial=1; No=0
19a. If Partial, specify (e.g. active duty military exempt)?	Tracking	0	Text field
19b. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
20. Does the policy require that all sales of tobacco leaf products and/or paraphernalia be face-to-face (i.e. restrict self-service displays)?	Restrictiveness	2	Yes=2; Partial - Specific to Paraphernalia=1; Other Partial/No=0
20a. If Other Partial, specify.	Tracking	0	Text field
20b. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
21. Does the policy require that all sales of self-service ESD products be face-to-face (i.e. restrict self-service displays)?	Tracking	0	Yes; Partial - Specific to Paraphernalia; Other Partial; No
21a. If Other Partial, specify.	Tracking	0	Text field
21b. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
22. Does the policy require payment (as opposed to distribution of free samples) for tobacco leaf products and/or paraphernalia?	Restrictiveness	2	Yes=2; Partial/No=0
22a. If Partial, specify.	Tracking	0	Text field
22b. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
22c. Are ESDs treated the same as tobacco?	Tracking	0	Yes; No; Not Applicable
22c1. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
23. Does the policy require full price on tobacco leaf products and/or paraphernalia?	Restrictiveness	2	Yes=2; Partial=1; No=0
23a. If Partial, are discounts prohibited?	Tracking	0	Yes; No
23a1. Is the discount per loyalty program redemption (e.g. "Earn this many points, get a free rolling paper")?	Tracking	0	Yes; No; Not Specified
23b. If Partial, are coupons prohibited?	Tracking	0	Yes; No

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23c. If Partial, list any other pricing schemes.	Tracking	0	Text field
23d. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
23e. Are ESDs treated the same as tobacco?	Tracking	0	Yes; No; Not Applicable
23e1. If Yes/, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
24. Does the policy regulate the pack size/volume of regulated products except for cigarettes?	Restrictiveness	2	Yes, 20 or greater (for any of the products below)=2; Yes, less than 20 (for any of the products below)=1; No=0
24a. If Yes, what is the package size for cigars?	Tracking	0	Text field
24b. If Yes, what is the package size for little cigars/cigarillos?	Tracking	0	Text field
24c. If Yes, what is the package size for ESDs?	Tracking	0	Text field
24d. If Yes, what is the package size for any other non-cigarette products not specified above?	Tracking	0	Text field
24e. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
25. Does the policy require a minimum price for any regulated products? (If Yes, address relevant sub-questions.)	Restrictiveness	2	Yes=2; No=0
25a. What is the minimum price for cigarettes?	Tracking	0	Text field
25b. What is the minimum price for cigars?	Tracking	0	Text field
25c. What is the minimum price for little cigars/cigarillos?	Tracking	0	Text field
25d. What is the minimum price for ESDs?	Tracking	0	Text field
25e. What is the minimum price for any other products not specified above?	Tracking	0	Text field
25f. If Yes or Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
26. Does the policy preclude penalizing the purchase, use, or possession of regulated products by a person not engaged in tobacco retailing?	Restrictiveness	2	Yes - Purchase, Use, and/or Possession not penalized, age not specified=2; Yes - Purchase, Use, and/or Possession not penalized, underage only=1; No=0
26a. If underage only, what age specific to tobacco leaf?	Tracking	0	Text field
26b. If underage only, what age specific to ESDs?	Tracking	0	Text field

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26c. If Yes or Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
27. Does the policy require that sales of regulated products take place only from fixed/permanent locations rather than mobile vendors/locations?	Restrictiveness	1	Yes=1; No=0
27a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
28. Does the policy explicitly preclude deliveries of regulated products from retail locations to customers in some manner?	Restrictiveness	1	Yes=1; No=0
28a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
29. Does the policy contain any provisions regulating online sales of regulated products?	Tracking	0	Yes; No
30. Does the policy limit retail sales venues (stores and/or lounges) for any regulated products in proximity to residential areas?	Restrictiveness	2	Yes, in all types of retail sales venues=2; Less than all types=1; No=0
30a. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
30b. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
30c. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
30d. If residential proximity provision exists, how many feet?	Tracking	0	Text field
30e. If residential proximity provision exists, does it apply to existing businesses?	Tracking	0	Yes; No
30e1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
30f. If residential proximity provision exists, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
31. Does the policy limit the number of retail sales venues (stores and/or lounges) based on population (i.e. x number of licenses granted per stated population)?	Restrictiveness	2	Yes, all types of retail sales venues=2; Less than all types=1; No=0
31a. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
31b. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
31c. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No

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31d. If population-based provision exists, what is the number of licenses granted per stated population?	Tracking	0	Text field
31e. If population-based provision exists, does it apply to existing businesses?	Tracking	0	Yes; No
31e1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
31f. If population-based provision exists, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
32. If #1 is Yes, does the policy establish a cap on total number of licenses of retail sales venues (stores and/or lounges) that can be issued within the municipality?	Restrictiveness	2	Yes, all types of retail sales venues=2; Less than all types=1; No/Not Applicable=0
32a. If there is a license cap, what is the maximum number of licenses?	Tracking	0	Text field
32a1. Is the cap reduced by attrition?	Tracking	0	Yes; No
32b. If there is a license cap, are there designated geographic parameters (e.g. 5 per city district)?	Tracking	0	Yes; No
32b1. If Yes, what are the geographic parameters?	Tracking	0	Text field
32c. Does it apply to existing businesses?	Tracking	0	Yes; No
32c1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
32d. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
32e. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
32f. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
33. Does the policy limit the proximity of retail sales venues (stores and/or lounges) to other tobacco retailers?	Restrictiveness	2	Yes, all types of retail sales venues=2; Less than all types=1; No=0
33a. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
33b. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
33c. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
33d. If commercial proximity provision exists, how many feet?	Tracking	0	Text field

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Fields	Category	Max Points	ANRF Suggested Weighting (Points)
33e. If commercial proximity provision exists, does it apply to existing businesses?	Tracking	0	Yes; No
33e1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
33f. If commercial proximity provision exists, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
34. Does the policy limit retail sales venues' (stores and/or lounges) proximity to youth-populated areas such as schools, parks, and/or childcare?	Restrictiveness	2	Yes, 1000 ft. or more=2; Yes, less than 1000 ft.=1; No=0
34a. If Yes, what is the required distance?	Tracking	0	Text field
34b. If Yes, what types of retail sales venues?	Tracking	0	All; Less than all
34b1. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
34b2. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
34b3. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
34c. If Yes, does it apply to existing businesses?	Restrictiveness	1	Yes=1; No=0
34c1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
34d. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
35. Does the policy limit proximity of retail sales venues (stores and/or lounges) to marijuana retailers?	Restrictiveness	2	Yes, all types of retail sales venues=2; Less than all types=1; No=0
35a. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
35b. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
35c. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
35d. If marijuana retailer proximity provision exists, how many feet?	Tracking	0	Text field
35e. If marijuana retailer proximity provision exists, does it apply to existing businesses?	Tracking	0	Yes; No
35e1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field



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Fields	Category	Max Points	ANRF Suggested Weighting (Points)
35f. If marijuana retailer proximity provision exists, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
36. Does the policy end allowance for adult-only/specialty retailers in the municipality?	Restrictiveness	2	Yes, all types of adult-only/specialty retailers=2; Less than all types=1; No=0
36a. If less than all types, are cigar establishments covered?	Tracking	0	Yes; No
36b. If less than all types, are vape establishments covered?	Tracking	0	Yes; No
36c. If less than all types, are hookah establishments covered?	Tracking	0	Yes; No
36d. If provision exists to end allowance for adult-only/specialty retailers in the municipality, does it apply to existing businesses?	Tracking	0	Yes; No
36d1. If existing businesses are exempt, specify term of exemption (e.g. 3 years, permanently, etc.)	Tracking	0	Text field
36e. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
37. If there is any type of adult-only/specialty retailer exemption in the policy, are they required to have a certain percentage of revenue from regulated product sales, in order to qualify for the exemption?	Tracking	0	Yes; No
37a. If Yes, specify percentage.	Tracking	0	Text field
38. Does the policy <b>end the sale</b> of tobacco leaf products in pharmacies and retailers that contain a pharmacy counter?	Restrictiveness	2	Yes=2; No=0
38a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
38b. Are ESDs included?	Tracking	0	Yes; Partial; No; Not Applicable
38b1. If Partial, specify.	Tracking	0	Text field
38b2. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
39. Does the policy <b>end the sale</b> of tobacco leaf products in health facilities (e.g. mental health facilities, hospitals, etc.)?	Tracking	0	Yes; No
39a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
39b. Are ESDs included?	Tracking	0	Yes; Partial; No
39b1. If Partial, specify.	Tracking	0	Text field

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39b2. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
40. Does the policy <b>end the sale</b> of tobacco leaf products in restaurants?	Restrictiveness	1	Yes=1; No=0
40a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
40b. Are ESDs included?	Tracking	0	Yes; Partial; No
40b1. If Partial, specify.	Tracking	0	Text field
40b2. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
41. Does the policy <b>end the sale</b> of tobacco leaf products in bars?	Restrictiveness	1	Yes=1; No=0
41a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
41b. Are ESDs included?	Tracking	0	Yes; Partial; No
41b1. If Partial, specify.	Tracking	0	Text field
41b2. If Yes/Partial, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
42. Which party is assessed any sales penalties?	Tracking	0	Owner; Clerk; Both; Not Specified
43. If #1 is Yes, is it an explicit violation of the TRL to be a retailer without a local license?	Enforcement	1	Yes=1; No/Not Applicable=0
44. Is a violation of any higher level jurisdiction's sales law(s) also an explicit violation of the local policy?	Enforcement	1	Yes=1; No=0
44a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
45. Does the policy specify a government entity to be responsible for enforcing the policy?	Enforcement	2	Yes=2; No=0
45a. If Yes, health agency?	Tracking	0	Yes; No
45b. If Yes, law enforcement?	Tracking	0	Yes; No
45c. If Yes, fire department?	Tracking	0	Yes; No
45d. If Yes, code enforcement officer?	Tracking	0	Yes; No
45e. If Yes, elected officials?	Tracking	0	Yes; No
45f. If Yes, administrator?	Tracking	0	Yes; No
45g. If Yes, other	Tracking	0	Text field
45h. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
46. Are compliance checks required?	Enforcement	2	Yes, MUST do compliance checks=2; Yes, MAY do compliance checks=1; No compliance checks=0

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46a. If Yes, name any specified agency/agencies responsible for compliance checks.	Tracking	0	Text field
46b. If Yes, how often are enforcement agencies required to perform compliance checks?	Enforcement	2	Once a year or more=2; Less than once a year/At the discretion of the enforcing agency=1; No mention of frequency=0
46c. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
47. If decoys below legal sales/purchase age are used in compliance checks, are they granted immunity?	Tracking	0	Yes; No; No mention of youth decoys
48. Does the policy state that a TRL can be suspended and/or revoked? If yes, address sub-questions.	Enforcement	2	Yes, suspension AND revocation/Yes, revocation only=2; Yes, suspension only=1; No=0
48a. Suspension and revocation	Tracking	0	Yes; No
48b. Suspension only	Tracking	0	Yes; No
48c. Revocation only	Tracking	0	Yes; No
49. Does the policy state that regulated products and/or paraphernalia may be seized and/or destroyed if a retailer violates the policy?	Enforcement	1	Yes=1; No=0
49a. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
50. If #1 is Yes, does the policy specify a window of time (e.g. a look-back period) to track cumulative violations for suspending or revoking a license?	Enforcement	2	Yes, 5 or more years=2; Yes, 0 to less than 5 years=1; No mention of window of time to track violations in the policy/No=0
51. Does the policy include one or more penalty options other than suspension/revocation? If yes, select all that apply.	Enforcement	2	Yes=2; No=0
51a. If Yes, is there a graduated penalty system?	Tracking	0	Yes; No
51b. If Yes, are fines a possible penalty?	Enforcement	1	Yes=1; No=0
51b1. If Yes, list all fines. (For example: "1st penalty = \$100, 2nd = \$250," or Not Specified, etc.)	Tracking	0	Text field
51c. If Yes, is infraction a possible penalty?	Tracking	0	Yes; No
51d. If Yes, is misdemeanor a possible penalty?	Tracking	0	Yes; No
51e. If Yes, is injunction/abatement of nuisance a possible penalty?	Tracking	0	Yes; No
51f. Other specified penalties?	Tracking	0	Text field

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51g. If Yes, is this provision set out within the framework of a TRL?	Tracking	0	Yes; No
	<b>Total points:</b>	<b>100</b>	