#### INTRODUCE ORDINANCES ESTABLISHING A CITY-WIDE SMOKING BAN AND IMPLEMENTING A LOCAL TOBACCO RETAIL PERMIT

CITY COUNCIL OCTOBER 1, 2019

# **Background**

- City Council held discussions on September 18, 2018, May 7, 2019, and September 3, 2019
- City Council directed staff to prepare the following ordinances:
  - City-wide smoking ban in public places
  - o Local tobacco retail permit
- These actions are supported by community advocates including the Beach Cities Health District and LA County Department of Public Health

## <u>City-Wide Smoking Ban in Public Places</u>

- Defines public places and includes private property areas that are open to the general public
- Includes areas within 20 feet of any door, window, opening or vent into a public place
- Residential property and moving vehicles are excluded from the ban
- Definition of smoking includes electronic smoking devices and marijuana
- Allows businesses to create a designated smoking area for patrons and employees and establishes a permit process for this approval
- Violations are punishable by infraction

## Local Tobacco Retail Permit

Requires tobacco retailers to obtain and maintain an annual Tobacco Retail Permit with the City

#### Provisions include:

- Defining tobacco products to include ESDs
- Banning sales of all flavored products including mint, menthol, spearmint, and wintergreen
- Banning self-service displays
- Banning sales to anyone under 21 years of age
- Establishing application process and requirements
- Require an inspection by City officials once a year
- Allows undercover enforcement
- o Non-transferable
- 1-year grace period for the 43 current retailers to comply
- Establishes administrative enforcement and penalty for violations

# **Recommendation**

Adopt by title only an ordinance adding Municipal Code Chapter 9, Article 1, to Title 5 to disallow smoking in public places in the City except for designated smoking areas

Re-introduce by title only an ordinance adding Municipal Code Chapter 9, Article 2, to Title 5 to create a local tobacco retail permit and approval process