

From: noreply@granicusideas.com <noreply@granicusideas.com>
Sent: Tuesday, December 11, 2018 12:59 PM
To: Ann Yang <anny@hermosabch.org>
Subject: New eComment for City Council Meeting (Closed Session - 6:00 P.M. and Regular Meeting - 7:00 P.M.)

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Claudia Berman submitted a new eComment.

Meeting: City Council Meeting (Closed Session - 6:00 P.M. and Regular Meeting - 7:00 P.M.)

Item: 5a) REPORT 18-0732 CONSIDER AMENDMENT OF THE MUNICIPAL CODE ADDING CHAPTER 5.78 (TOBACCO RETAILERS) REQUIRING LICENSURE OF TOBACCO RETAILERS AND LIMITING SALE OF ELECTRONIC SMOKING DEVICES AND FLAVORED TOBACCO PRODUCTS TO REDUCE THE ILLEGAL SALE OF TOBACCO TO YOUTH AND AMENDING SECTION 1.10.040 TO MAKE VIOLATIONS OF CHAPTER 5.78 SUBJECT TO ADMINISTRATIVE PENALTY PROCEDURES (Continued from August 25, 2015 and November 13, 2018) (Community Development Director Ken Robertson)

eComment: I don't quite understand the value of the of having a retail tobacco license for the 20 small retailers, when the fee is only covering the administration costs, but not underage enforcement costs. It seems more like a fee to just have a fee. I had to google why some cities have licenses beyond what the state requires. I found the following policy document: <https://center4tobaccopolicy.org/wp-content/uploads/2017/06/Matrix-of-Strong-Local-TRL-Ordinances-June-2017.pdf> It states: "A fee set high enough to sufficiently fund an effective program including administration of the program and enforcement efforts. An enforcement plan, that includes compliance checks, should be clearly stated." This document also lists other California cities with retail tobacco licenses. Our fee compared to other cities is definitely on the high side. Also, without out a concrete enforcement plan, this license fee seems be more of a burden to these small businesses, rather than addressing underage smoking. It's a bit like our smoking ban, that is rarely enforced and the signage around town isn't even clear that we have a ban. The signs specify no smoking "zones", which sound like you just can't smoke in the vicinity of the sign. I'd prefer the city not adopt this new license requirement, until a clear and workable enforcement plan is established.

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