



Mendocino County

Legislation Details (With Text)

File #: 20-0917 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 9/30/2020 **In control:** Board of Supervisors
On agenda: 10/6/2020 **Final action:**
Title: Discussion and Possible Action Including Direction to Staff to Prepare an Updated Tobacco Retail License Ordinance, Chapter 6.20 Licensure of Tobacco Retailers
(Sponsor: Supervisor Haschak)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Chapter 6.20, Current, 2. Chapter 6.20, Proposed Revisions, 3. Chapter 6.20, Redline of Proposed Revisions, 4. TRL Packet, 5. TRL Powerpoint

Date	Ver.	Action By	Action	Result
10/6/2020	1	Board of Supervisors		

To: Board of Supervisors

From: Supervisor Haschak

Meeting Date: October 6, 2020

Department Contact: Supervisor Haschak

Phone: 4441

Item Type: Regular Agenda

Time Allocated for Item: 15 Min

Agenda Title:

Discussion and Possible Action Including Direction to Staff to Prepare an Updated Tobacco Retail License Ordinance, Chapter 6.20 Licensure of Tobacco Retailers
(Sponsor: Supervisor Haschak)

Recommended Action/Motion:

Direct County Counsel to prepare an update the Tobacco Retail License Ordinance, Chapter 6.20 Licensure of Tobacco Retailers.

Previous Board/Board Committee Actions:

Adoption of original Tobacco Retail License Ordinance, Chapter 6.20 Licensure of Tobacco Retailers in 2008.

Summary of Request:

The current TRL ordinance was adopted in 2008, before the widespread availability of electronic nicotine delivery systems, commonly known as “vapes.” In the years since their introduction, the popularity of these devices has risen sharply, especially among young people. Current studies show that 20% of high school students vape (cdc.gov). Discussions with our local high school principals reveal that vaping is popular among

Mendocino County high school students. For example, on the 2018-19 California Healthy Kids Survey, 21% of Willits High School ninth graders reported vaping regularly. The health hazards of vaping include EVALI (e-cigarette or vaping product use-associated lung injury) as well as severe addiction and increased risk of cancer.

Vaping fluids contain nicotine, known to be highly addictive, and the electronic delivery of the nicotine is at a higher level than that received by smoking cigarettes, resulting in quick addiction. Vaping products are marketed to children through the use of flavors such as mango, bubble gum and candy cane. On August 28, 2020, the California legislature adopted Senate Bill 793, ending the retail sale of flavored tobacco products in the state. This law was signed by the governor and takes effect January 1, 2021; however, tobacco companies have already initiated a referendum effort to overturn the law. Having an updated TRL in effect in Mendocino County will guard against the re-introduction of flavored tobacco products in the event that SB 793 is overturned at a later date. Additionally, the proposed TRL contains a licensing requirement and fee structure to pay for enforcement of the ordinance. SB-793 has no mechanism or revenue for enforcement.

The health of our youth should be a priority in a community that cares for its youth. Adoption of the updated tobacco retail license ordinance is supported not only by the Tobacco Prevention Coalition but by the County's Health and Human Services Advisory board.

Alternative Action/Motion:

Take no action.

Supervisorial District: All

vote requirement: Majority

Supplemental Information Available Online At: n/a

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: **Direction Given to Staff**

Date: October 8, 2020

