



TOBACCO RETAIL LICENSING ORDINANCE AMENDMENT

TOBACCO AND TOBACCO-RELATED PRODUCT RETAILERS

Date: December 5, 2017

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TIMELINE FOR TRL ORDINANCE

- 10/25/16: Staff provided Council informational item on smoking ordinance
- 12/1/16: Public meeting held for tobacco retailers
- 1/10/17: First reading of TRL ordinance
- 1/31/17: Second reading and adoption of TRL ordinance
- 3/30/17: Staff met with tobacco retailers to hear concerns

- With the TRL passed in January, all portions of ordinance would be effective 1/1/18 unless we defer
- Staff is requesting approval of an ordinance that would defer most of the TRL*

*Smoking Ordinance will go into effect 1/1/18 as approved by Council on 1/24/17

PROPOSED AMENDMENTS

Section	Adopted Ordinance	Amended Ordinance
Age of seller (7-8.3, e)	Set at same age as purchasing requirement (21 years of age)	Reduced to 18 per meeting with retailers
Pharmacy language (7-8.3, j)	No license may be issued to authorize Tobacco Retailing in a Pharmacy.	No license may be issued to authorize Tobacco Retailing in a Pharmacy and no pharmacy shall engage in tobacco retailing <u>at any time.</u>
Application procedure (7-8.4, d)	Tobacco retailers must apply for a license within 30 days of this ordinance becoming effective.	Tobacco retailers shall apply during the 2019 business license cycle.

PROPOSED AMENDMENTS

Section	Adopted Ordinance	Amended Ordinance
License renewal and expiration (7-8.6, a)	Retailer must apply by 11/30/17	Retailer must have a license before 1/1/19
Suspension or revocation of license for violation (7-8.11, a 1-4)	First offense is license revocation for 30 days	First offense is warning; second offense is license revocation for 30 days
Enforcement timeline (7-8.14)	This section shall not be enforced by the City until 1/1/18	This section shall not be enforced by the City until 1/1/19 except the pharmacy language which shall be enforceable @ effective date of this revision

NEXT STEPS

- Staff is asking Council to approve these proposed changes tonight
- If approved, a summary of the ordinance will be published in the newspaper 5 days before adoption and within 15 days after adoption
- Final approval would occur at January 9, 2018 Council meeting
- Additional outreach to tobacco retailers to occur in 2018
- Staff would work with finance to ensure fee study, license creation and form creation occur well in advance of the 2019 business license renewal cycle