



## Staff Report

### December 10, 2019

**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Sean Rabé, Town Manager  
**DATE:** December 10, 2019  
**RE:** Direction on E-Cigarette and Vaping Control Measures

#### Recommendation

Provide direction to Staff on how to address electronic cigarette and vaping issues in the Town.

#### Issue Statement and Discussion

The Town Council has discussed electronic cigarette and vaping-related issues at the past two Town Council meetings. Staff presented various policy-related recommendations during the October 8 Council meeting, and received direction from Council on how to proceed. The Placer County Tobacco Control Program presented additional information to the Council during the November 12 Council meeting. Council directed Staff to bring back a summary of potential actions the Town could take after that meeting.

#### Summary of direction from October 8 Council meeting:

1. Prepare for consideration an ordinance prohibiting smoking at all Town parks  
**STATUS:** First reading of ordinance approved at November 12 meeting, with direction to add prohibition of smoking cannabis products. Second reading is on tonight's Council agenda.
2. Prepare a resolution advising Town residents of the dangers of vaping and e-cigarette use.  
**STATUS:** Does Council still want to pursue this?
3. Prepare an ordinance creating an administrative citation and requiring a diversion program for youth under the age of 21 caught with vaping or tobacco-related products.  
**STATUS:** Does Council still want to pursue this?
4. Prepare an ordinance prohibiting the sale of flavored e-cigarette cartridges and e-juice in Town, with the exception of mint-and-menthol-flavored products.  
**STATUS:** There has been some confusion on whether or not this was a complete ban of all e-cigarette cartridges and e-juice, including menthol and mint flavors, or if those flavors were excluded from a potential ban. In reviewing the video of the meeting, the final Council direction was to ban all flavors of e-cigarette cartridges and e-juice but to allow menthol and mint flavors. Does Council still want to pursue this or expand the ban to ALL flavors?

5. Prepare a letter from the Town to our local legislators supporting legislation that addresses and regulates the sale of e-cigarettes and e-juice.

**STATUS:** Staff will have this letter finalized for Mayor signature in the upcoming weeks.

The discussion during the November 12 Council meeting centered around the Placer County Tobacco Control Program presentation. A few policy-related issues were raised at that meeting that Staff needs direction on.

1. Creating a 1,000-foot radius buffer around schools and parks that prohibits tobacco sales. Existing businesses would be grandfathered in and would not be affected. Staff strongly supports this concept.
2. Establish a tobacco-retailer licensing program. The funds raised by this licensing program could be used for tobacco-related education and program administration. Staff has some concerns about the impact on existing staff if this program were instituted (enforcement, etc.)

After Council deliberates and provides direction, Staff will begin the preparation of necessary ordinances, resolutions, etc.

Staff is prepared to answer any questions you may have.

**CEQA Requirements**

There are no CEQA implications associated with the recommended action.

**Financial and/or Policy Implications**

None.

**Attachments**

None.