County of Los Angeles

Proposed Changes to County Code to Expand Regulation of Tobacco Retailers

Informational Session

Led by: In collaboration with:
Agenda

1. Background
2. Current and Proposed Regulations of Tobacco Retailers
3. Existing County Services Businesses
4. Public Comment
Timeline

March 2018
County Board of Supervisors introduced a motion to do an initial assessment

September 2018
Subsequent motion regarding tobacco retailers and existing regulations

November 2018
Subsequent motion regarding tobacco retailers and existing regulations

Feb / Mar 2019
Informational Sessions / Public Comment

Apr / May 2019
Report back to the County Board of Supervisors
Who does it impact

Proposed new ordinance will ONLY impact businesses in **UNINCORPORATED** County of Los Angeles
Current Local Laws for Tobacco Retailers

Title 11.35.010 – Health & Safety Code
• Adopted in 2007 to promote:
  • Health, safety, and general welfare for its residents
  • Encourage compliance with federal, state, and local laws regulating tobacco sales and use
  • Discourage the purchase and use of tobacco products to minors
  • Protect children from being lured into illegal activity through the misconduct of adults
Update the local ordinance to reflect the State’s definition of “Tobacco product” (Section 48901 of the California Education Code) to mean any of the following:

• A product containing, made, or derived from tobacco or nicotine that is intended for human consumption...

• An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.

• Any component, part, or accessory of a tobacco product, whether or not sold separately.
Why The Motion?

The Centers for Disease Control and Prevention indicated a nationwide increase of tobacco products by middle and high school students:

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<th>2017</th>
<th>2018</th>
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<td>3.6 million</td>
<td>4.9 million</td>
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This increase was attributed to the explosive growth in e-cigarette users.
Current Local Laws for Tobacco Retailers
County Department of Public Health

• Tobacco Retail License (TRL) required
• Annual renewal
• Annual $235 fee pays for administration, enforcement, and retailer education
• TRL does not regulate electronic smoking devices (i.e. e-cigarettes, e-hookah and vapes) or Vape shops
Proposed Local Laws for Tobacco Retailers
County Department of Public Health

• Prohibits sales of tobacco products near youth sensitive areas (e.g., schools and parks)

• Requires Tobacco Retail License to sell electronic smoking devices (e.g., electronic cigarettes, vapes and other nicotine containing devices); and

• Prohibits the sale, not use, of flavored tobacco products including menthol.
Current Local Laws for Tobacco Retailers
County Treasurer & Tax Collector

Title 7 – Business License Code of Ordinance

Business License currently NOT required
Proposed Local Laws for Tobacco Retailers

County Treasurer & Tax Collector

Business License will be required for retailers whose primary inventory is tobacco or tobacco related products, which will include the following requirements:

• Submit application for a Business License
• May be required to clear a live scan
• No smoking or vaping on premises
• No alcoholic beverages allowed on premises
• Proper outside lighting during hours of operation
• Advertising restrictions
• Graffiti and litter removal
Proposed Local Laws for Tobacco Retailers
County Treasurer & Tax Collector

Proposed Changes (CONT)

• Responsible person on the premises at all times
• Business License Commission Approval
  • Attend hearing for approval
  • Authority to limit hours
• Inspection and approval from Building & Safety, and the Fire Department
• Annual renewal

A fee study is currently underway to determine the cost of administering this business license program.
Proposed Local Laws for Tobacco Retailers

County Regional Planning

Concentration and Location
Existing County Services for Businesses

Small Business Concierge
*Permit application, funding sources, business counseling, etc.*

Workforce Development and Talent Management
*Helps businesses search for and located new qualified workers; Find tax credits when hiring eligible employees*

Business Retention & Layoff Aversion
*Helps businesses prevent layoffs; Stay afloat if they need to downsize, or helps employees find new opportunities*
Existing County Services for Businesses (Cont.)

Minimum Wage Compliance
*Helps businesses comply with minimum wage laws and educate businesses on employee rights*

Small Business Programs
*Workshops on how to successfully open a business in LA County; Enhances opportunities for small businesses*
Public Comment

Tobacco:
Website: http://lapublichealth.org/tob/
Email: tobacco1@ph.lacounty.gov
Call: 213-351-7890

Limited to 3 minutes per person
Tobacco:
Website: http://lapublichealth.org/tob/
Email: tobacco1@ph.lacounty.gov
Call: 213-351-7890

Business assistance:
Website: http://dcba.lacounty.gov
Email: Concierge@dcba.lacounty.gov
Call: 323-881-3864