



STAFF REPORT

Meeting Date: January 21, 2014
To: Honorable Mayor & City Council
From: Michelle Tse, Senior Management Analyst
Subject: E-Cigarette and Tobacco Regulation Update
Attachments: None

INTRODUCTION

At the November 5, 2013 Formal Session, the City Council directed the Health & Safety Commission ("Commission") to review and provide policy recommendations on the emerging issues relating to the sales and use of electronic cigarettes ("e-cigarettes"), as well as study the overall sales and use of tobacco products. This report is to provide an update to the City Council on the Commission's review of these two issues and next steps in the process.

DISCUSSION

The Commission spent their November and December meetings discussing these issues at length. After a comprehensive study, the Commission intends to recommend to the City Council that the sales and use of e-cigarettes within the city be regulated in the same manner as tobacco products.

The following is the Health & Safety Commission's tentative timeline on the review of e-cigarettes and tobacco products:

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|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| January 27, 2014 | Health and Safety Commission Meeting: Review State tobacco laws and discuss additional places to limit the use of e-cigarettes and tobacco products. |
| February 4, 2014 | City Council Formal Session: Introduce the e-cigarette regulation ordinances. |
| February 24, 2014
(tentative) | Health and Safety Commission Meeting: Continue discussion about additional places to limit use of e-cigarettes and tobacco products that is beyond what is currently regulated by local regulations. (if needed). |
| March 4, 2014
(tentative) | City Council Formal Session: Final policy recommendation report to City Council. |

The Commission spent their meetings reviewing several items, including but not limited to the following:

- federal, state, and local regulations,
- case studies,
- sample ordinances from other cities,
- draft city ordinances,
- heard and received extensive public comment,
- evaluated current enforcement efforts and best practices, and
- explored public education and outreach options.

The Commission wanted to develop and recommend a comprehensive ordinance that if adopted, will not only convey an effective anti-vaping and anti-smoking message, but also be enforceable with current resources.

Although the Commission has been tasked to provide policy recommendations on (1) sales and use of e-cigarettes; and (2) sales and use of tobacco products, the Commission is choosing to first introduce the e-cigarette recommendation to the City Council during the February 4, 2014 formal meeting, and then continue to study both topics. Currently, there are no e-cigarette regulations in place. If the City Council approves the Commission's recommendation and proposed amendments to the City ordinance, staff can begin taking steps to properly regulate e-cigarettes in the same manner as tobacco products within the city. The Commission did not want to further delay presenting the e-cigarette recommendation to the City Council since further review on the tobacco issue would require additional time.

The Commission will continue to review these items, and any final recommendations will be presented to the City Council at a future date. Following City Council direction, the Commission will consider any future changes to smoking regulations to include both tobacco products and e-cigarettes.

FISCAL IMPACT

Not applicable.

RECOMMENDATION

This report is for informational purposes.

Mahdi Aluzri
Approved By

