



City of Sunnyvale

Agenda Item

18-0750

Agenda Date: 3/7/2019

2019 COUNCIL STUDY ISSUE

NUMBER

DPS 19-01

TITLE Ban the Sale of Flavored Tobacco Products

BACKGROUND

Lead Department: Department of Public Safety

Support Departments: Office of the City Manager

Office of the City Attorney

Sponsor(s): Councilmembers: Hendricks, Melton, Klein

History: 1 year ago: N/A
2 years ago: N/A

SCOPE OF THE STUDY

What precipitated this study?

At the July 17, 2018 City Council meeting, Mayor Hendricks requested a study issue banning candy flavored e-cigarettes.

According to the American Lung Association, the tobacco industry uses flavored tobacco products to target youth in an effort to gain new customers with long-term nicotine addictions. It is estimated that 7 out of 10 middle and high school students who currently use tobacco products have used flavored tobacco such as bubble gum, strawberry, grape, and candy cane. Flavored options are more palatable to youth than unflavored tobacco. Several local governments across California, and across the country, have enacted laws prohibiting the sale of flavored tobacco products.

What are the key elements of the study?

The study will consider prohibiting tobacco retailers from selling flavored e-cigarettes (e-cigs). It will also include the option of banning the sale of other tobacco flavored products such as cigars, hookah tobacco, e-liquids, and smokeless tobacco.

The study will also include implementation strategies and enforcement options if a ban on flavored e-cigarettes or flavored tobacco products is approved by Council.

Estimated years to complete study: 1 year

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost): Moderate

Funding Required for Non-Budgeted Costs: \$0

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Cost to Implement Study Results

Unknown. Study would include assessment of potential costs.

The County of Santa Clara Public Health Department has indicated that grant funding may be available to implement the study results if certain criteria are met. This option will be explored and presented to Council as part of the study.

EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION

Council-Approved Work Plan: No

Council Study Session: No

Reviewed by Boards/Commissions: No

STAFF RECOMMENDATION

Support. This policy issue merits discussion at the 2019 Study Issues Workshop.

According to the County of Santa Clara Public Health Department, 80% of teenagers who smoke, started with flavored tobacco. This study aligns with General Plan Citywide Vision Goal IV, "Safe and Healthy Community: To maintain Sunnyvale's high level of public health and safety, so all residents, employees and visitors feel safe at all times."

This study is also consistent with recently adopted changes to Sunnyvale Municipal Code Chapter 9.28, entitled Regulation of Smoking. In 2016, the City updated its smoking laws to protect the community from the harmful effects of secondhand smoke by prohibiting smoking in outdoor dining areas; within 25 feet of building entryways; in service areas; at public events; within 25 feet of public transit stops; and in all units, common areas, and within 25 feet of doors and windows of multi-family residences.

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