

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

103



FROM: Community Health Agency/Department of Public Health

SUBMITTAL DATE:
March 27, 2007

SUBJECT: Tobacco Retail Licensing Annual Report

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the first annual report for the Tobacco Retail Licensing Program.

BACKGROUND: On September 13, 2005 the Board of Supervisors unanimously passed County Ordinance 838 which requires all merchants who retail tobacco in the unincorporated areas of the County, to obtain and maintain a license to sell tobacco, tobacco products and paraphernalia.

Department Ordinance

RP:FN
Attachment

Susan Harrington, Director of Public Health

FINANCIAL DATA

Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: Receive & File

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent
- Dept's Recomm.:
- Per Exec. Ofc.:

The Tobacco Retail Licensing Program ordinance became effective October 13, 2005. This action was taken primarily due to the unacceptably high (44%) sales to minor's rate of tobacco in Riverside County. At the time of passage, the Supervisors urged the 24 cities in the County to adopt the identical ordinance and defer to the County Department of Public Health for oversight, regulation and enforcement in order to have a uniform regulation of tobacco countywide.

Tobacco Retail Licensing Program activities conducted in the first year included establishing a comprehensive regulatory program and hiring key staff. Almost 1,000 tobacco retailers of the estimated 2,500-3,000 in Riverside County were identified and 99% of these tobacco retailers complied with the licensing requirement the first year.

As of December 31, 2006, nine of the 24 cities (37%) in the County have adopted Ordinance 838 including Banning, Beaumont, Corona, Murrieta, Norco, Riverside, San Jacinto, and Temecula. The cities of Coachella, Rancho Mirage and Cathedral City are considering licensing within the next 90 days. The cities of Hemet and La Quinta have voted not to join the County and pursue their own course of combating illegal sales of tobacco to minors. After adding the nine cities to the County unincorporated areas, 67% of County of Riverside residents live in jurisdictions that require licensing compared to only 20% state-wide.

Underage youth serving as decoys are an important part of the enforcement of Ordinance 838. As of December 2006, 35 youth have participated in training from the communities of Riverside, Corona, Norco, Murrieta, Palm Desert and the unincorporated areas of the Coachella Valley.

Over 150 retailers were targeted for attempts to buy in 2006. Of the 150 retailers targeted, 14 Penal Code (P.C.) 308 citations were written for selling tobacco to minors and 3 Labor Code (L.C.) 6404.5 citations were written for smoking in an enclosed place of employment.

Rates of merchants selling tobacco products to minors are beginning to decrease. The County-wide rate was 44% prior to the adoption of Ordinance 838. Five communities show substantial decreases in the first year including: Banning 71% pre-ordinance and 17% post; Corona/Norco 35% pre- and 16% post; Murrieta 27% pre- and 7% post; and the City of Riverside 65% pre- and 16% post.

Goals for the Tobacco Retail Licensing Program in 2007 include:

- Adding seven (7) additional cities for a total of sixteen (16) cities in addition to the County unincorporated areas to be covered by Tobacco Retail Licensing;
- Licensing a total of two thousand (2,000) tobacco retailers in Riverside County, representing 80% of the total estimated retailers.
- Training an additional sixty-five (65) youth to serve as decoys;
- Conducting 30 sting operations across the County and in cities that have adopted the ordinance; and
- Reducing the sales to minors rate to less than 15%.