

FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]* 11/3/15
 DATE: GREGORY P. PRIAMOS

Departmental Concurrence

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

801



FROM: Department of Environmental Health

SUBMITTAL DATE:
 November 3, 2015

SUBJECT: Initiation of Amendment to Ordinance No. 838 Regarding the Permitting of Tobacco Retailers

RECOMMENDED MOTION: That the Board of Supervisors:

1. Pursuant to Board Policy A-67, adopt an order initiating a revision to Ordinance No. 838 regarding the permitting of tobacco retailers; and
2. Direct the Department of Environmental Health to prepare and process the amendment to Riverside County Ordinance No. 838.

BACKGROUND:

Summary

Ordinance No. 838 was created to regulate tobacco retailers and ensure tobacco and tobacco paraphernalia were not being sold to minors. It was the intent of this ordinance that this include all tobacco and nicotine delivery systems.

(Continued)

SVS:kj

[Signature]

Steve Van Stockum
 Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:

Budget Adjustment: No

For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY *[Signature]*
 Debra Cournoyer

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: November 17, 2015
 xc: Environmental Health, Co.Co., Auditor

Kecia Harper-Ihem
 Clerk of the Board

By *[Signature]*
 Deputy

Prev. Agn. Ref.: 1/26/10, 9.10

District: All

Agenda Number:

3-17

☐ A-30 ☐ Positions Added
☐ 4/5 Vote ☐ Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Initiation of Amendment to Ordinance No. 838 Regarding the Permitting of Tobacco
Retailers**

DATE: November 3, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

This amendment will clearly define what is to be included under the definition of tobacco in the ordinance by clarifying some vague language.

The Department will work with County Counsel to prepare the amendment to Ordinance No. 838. In order to ensure the ability to regulate, the ordinance will be amended to define "tobacco product" as either products containing tobacco, products containing nicotine or products containing nicotine and tobacco.

Additionally, The Department of Environmental Health seeks to remove a section related to advertisement of tobacco related products.

Impact on Residents and Businesses

The expected impact on citizens would be continued access to tobacco and/or nicotine based products while ensuring that the retailers comply with local licensing ordinances as well as state and federal laws and regulations that prohibit the selling of these products to minor aged children.