



CITY OF TEMPE REQUEST FOR COUNCIL ACTION

**Meeting Date: 10/26/2023
Agenda Item: 8C1**

ACTION: PUBLIC HEARING ITEM Hold the second and final public hearing to adopt an ordinance amending the Tempe City Code, by adding a new section to Chapter 16A creating a requirement for a new tobacco seller's license; and amending Article II relating to smoking pollution control to increase the minimum age for the purchase of tobacco products to age twenty-one. The first public hearing was held on October 12, 2023. (Ordinance No. O2023.55)

FISCAL IMPACT: No impacts on City funds.

RECOMMENDATION: Adopt Ordinance No. O2023.55.

BACKGROUND INFORMATION: The challenges associated with underage tobacco use were brought forth by Tempe parents, the Tempe Coalition, Community Bridges, and the Campaign for Tobacco Free Kids at multiple Human Services and Community Safety (HSCS) Council Committee meetings from late 2021 to early 2022.

A proposed Ordinance was presented at the June 24, 2022 HSCS Council Committee meeting. Staff was asked to conduct public and stakeholder meetings to receive feedback on the proposed Ordinance. Public and stakeholder meetings were held in the fall of 2022. Based on the public input received, staff presented recommended changes to the proposed Ordinance.

At the January 27, 2023 HSCS Council Committee meeting, Councilmember Garlid and Councilmember Navarro decided to implement the following items:

- Develop a Tobacco Seller License;
- Raise the legal age from 18 to 21 to purchase tobacco products; and
- Assess fees, penalties, and enforcement for violations

The City of Tempe held another round of community meetings to present these latest changes. Additionally, staff created an online survey and offered it to Tempe residents from March 20, 2023 to April 3, 2023.

Staff presented feedback from the community meetings and the online survey at the April 2023 HSCS Council Committee meeting. The Committee asked staff to develop a tobacco training class for a business seeking a Tobacco Seller License. Enrollment in this class will be mandatory.

At the June 8, 2023 City Council Work Study Session, staff received consensus to move forward with the proposed Ordinance.

ATTACHMENTS: ORDINANCE RE TOBACCO SELLER'S LICENSE (CLEAN).PDF

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