

Capitola City Council

Agenda Report



Meeting: September 11, 2025

From: City Manager Department

Subject: Ordinance Prohibiting the Sale of Cigarettes and Cigars with Filters

Recommended Action: Adopt an ordinance amending Capitola Municipal Code Section 5.38.030 to prohibit the sale of partially inconsumable tobacco products.

Background: In October 2024, the County of Santa Cruz adopted Ordinance No. 5461, prohibiting the sale of filtered tobacco products in unincorporated areas. The ordinance will not be enforced until at least two incorporated cities in the County adopt similar legislation, or until January 1, 2027, whichever comes later.

In Capitola, the Commission on the Environment (COE) reviewed a draft policy and received a presentation from County Health Services staff in March 2025. The Commission unanimously recommended the City adopt an ordinance in alignment with the County's. On April 10, 2025, the City Council held a public meeting to review the policy recommendation and directed staff to return with an ordinance for formal consideration.

On August 28, 2025, the City Council unanimously approved the introduction of the ordinance, with the revision that enforcement would not take place before July 2027.

Discussion: The ordinance (Attachment 1) prohibits the sale of any tobacco product that includes a component that is not intended to be consumed—specifically filters embedded within cigarettes or cigars. The sale of cigarettes and cigars with filters contributes significantly to plastic and chemical pollution on beaches and in the ocean, as filters are non-biodegradable and often disposed of improperly. The proposed ordinance (Attachment 1) is modeled after the County ordinance. It is intended to reduce tobacco product waste, particularly single-use plastic filters, which are the most commonly littered item on California beaches.

To support enforcement of the ordinance, the Capitola Police Department applied for a grant opportunity with the California Department of Justice's Tobacco Grant Program. As a part of the grant application, the Police Department proposed an enforcement and education program to include three Retail Inspection Operations, three Retail Re-Inspection Operations, three Minor Decoy Operations, three Shoulder Tap Operations, and two Retail Education mailers per year. All data from these operations will be tracked, compiled, and compared to ensure grant objectives are completed.

Fiscal Impact: Minimal fiscal impact is anticipated. Staff time will be required to conduct additional outreach and to support enforcement once the ordinance takes effect. The ordinance may result in a small reduction in sales tax revenue from tobacco sales; however, similar policies enacted for flavored tobacco products did not lead to substantial revenue changes.

Attachments:

1. Ordinance

Report Prepared By: Rosie Wyatt, Deputy City Clerk

Reviewed By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager