



**City of Grass Valley
City Council
Agenda Action Sheet**

Title: Introduction of an ordinance amending Chapter 5.56 of Title 5 of the Grass Valley Municipal Code regulating Tobacco Retailers.

Recommendation: Introduce the attached ordinance, waive full reading, and read by title only

Prepared by: Alexander K. Gammelgard, Chief of Police

Council Meeting Date: 02/11/2025

Date Prepared: 02/06/2025

Agenda: Administrative

Background Information: The City’s current Tobacco Retailer Licensing Ordinance was adopted in 2009. Since its adoption, significant changes have occurred in the tobacco and nicotine product landscape, including the rise of e-cigarettes, flavored tobacco products, and an increase of businesses that primarily sell tobacco and tobacco related products. The outdated ordinance lacks sufficient wording to properly regulate these emerging products and fails to comprehensively address public health concerns.

In an effort to modernize our municipal code and close existing loopholes, the attached ordinance will help regulate and strengthen numerous health protections regarding how tobacco retailers conduct business within the city limits of Grass Valley.

To further our public health goals, the updated ordinance will make a distinction between business that sell tobacco as a supplemental product (IE: gas stations and grocery stores) and businesses that primarily sell tobacco/tobacco products (IE: smoke shops and headshops). The latter is defined as a “significant” tobacco retailer and will consequently have additional regulations.

These regulations include limiting significant tobacco retailer locations to 1,000 feet from a youth-oriented facility (IE: schools, playgrounds, youth centers, etc.). However, already established significant tobacco retailers in violation of this proximity update will be grandfathered in. Our current ordinance has no provision for this restriction.

Our current ordinance also allows for an unlimited number of significant tobacco retailers within our community. The updated ordinance will cap the number of significant tobacco retailers to one for every 3,000 Grass Valley residents. Again, existing retailers will be grandfathered in. Furthermore, the clustering of tobacco retailers will be prohibited and a 500’ distance between newly-applying significant tobacco retailers will be required.

To help create a healthier community the updated ordinance will also streamline the violation process for tobacco retailers who are found in violation of the ordinance (IE: selling tobacco to a juvenile). If a tobacco retailer is found in violation their license will be suspended for up to 30 days, and each subsequent violation increases in number until the license is revoked on the fourth violation. Additionally, tobacco retailers will be banned from selling nitrous oxide canisters to our community, although this will not affect major grocery stores or non-tobacco retailers, who wish to sell small canisters as a food propellant.

Additionally, new wording to the ordinance will close the loophole where violating tobacco retailers can change the name of ownership to circumvent punitive action. This updated ordinance allows the City of Grass Valley to demonstrate our commitment to fostering a healthier, safer environment for children and adults alike.

Council Goals/Objectives: The execution of this action attempts to achieve the following Strategic Goals:

GOAL #1: COMMUNITY & SENSE OF PLACE
GOAL #2: SAFE AND RELIABLE TRANSPORTATION SYSTEM
GOAL #6 - SAFE PLACE TO LIVE, WORK AND PLAY

Fiscal Impact: N/A

Funds Available: N/A

Account #: N/A

Reviewed by: City Manager

Attachments: Revised Ordinance