



CITY COUNCIL MEMORANDUM

TO: City Council

FROM: Matthew R. Schmitz, MPA - City Manager

DATE OF MEETING: July 28, 2025

ITEM TITLE: First Reading of an Ordinance Amendment to Chapter 121 Cigarette and Tobacco Permits

BACKGROUND:

As discussed at the July 7, 2025, City Council Meeting, this ordinance would prohibit the issuance of Device Permits within the City of Independence.

DISCUSSION:

Passing this ordinance would clearly outline that Device Permits are not allowed in Independence and prevent these devices from being sold by retailers in town.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of supporting high-quality City services. This item helps achieve that vision by amending the City's code to make it unlawful for a retailer to sell "devices" as defined by Iowa Code Chapter 453E.1(61) within the City. By regulating the sale of these products, the City is proactively addressing potential public health and safety concerns, which is a component of providing high-quality services to its residents.

FINANCIAL CONSIDERATION:

Once the new supplement has been mailed to City Hall, fees will need to be paid to Simmering-Cory Iowa Codification. Additional publication costs will also be incurred.

RECOMMENDATION:

Staff recommends a motion to approve the first reading of an ordinance creating provisions pertaining to Chapter 121.02 - Permit Required.

Staff recommends a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed.

Staff recommends a motion to have this ordinance, which creates provisions pertaining to Chapter 121.02 - Permit Required, placed on its final passage for adoption pursuant to Iowa Code Section 380.3 and to authorize the Mayor to sign the Ordinance. The changes will be effective upon the ordinance summary being published in the newspaper.