



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/17/2023

ITEM NO: 10

DATE: October 11, 2023
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: Adopt an Ordinance Titled, "An Ordinance of the Town Council of the Town of Los Gatos Amending Section 18.60.020, 'Permits for Retailers of Tobacco Products' of Article VI, 'Smoking Regulations' of Chapter 18, 'Offenses and Miscellaneous Provisions,' of the Town Code to Increase Fine Amounts and Amend the Definition of 'Tobacco Products' to Align with the Santa Clara County Ordinance."

RECOMMENDATION:

Adopt an Ordinance titled, "An Ordinance of the Town Council of the Town of Los Gatos amending Section 18.60.020, 'Permits for Retailers of Tobacco Products,' of Article VI, 'Smoking Regulations,' of Chapter 18, 'Miscellaneous Provisions,' of the Town Code to increase fine amounts and amend the definition of 'Tobacco Products' to align with the Santa Clara County Ordinance."

REMARKS:

At its regular meeting of October 3, 2023, the Town Council held a public hearing to consider the introduction of an Ordinance titled, "An Ordinance of the Town Council of the Town of Los Gatos amending Section 18.60.020, 'Permits for Retailers of Tobacco Products,' of Article VI, 'Smoking Regulations,' of Chapter 18, 'Miscellaneous Provisions,' of the Town Code to increase fine amounts and amend the definition of 'Tobacco Products' to align with the Santa Clara County Ordinance." The Town Council voted 5-0 to approve the introduction of this ordinance. The ordinance becomes effective 30 days after the adoption date.

PREPARED BY: Bridgette Falconio
Administrative Technician

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Police Chief, and Finance Director

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SUBJECT: Updating the Town's Current Tobacco Retailing Ordinance

DATE: October 11, 2023

CONCLUSION:

Staff recommends Town Council adopt the Ordinance titled, "An Ordinance of the Town Council of the Town of Los Gatos amending Section 18.60.020, 'Permits for Retailers of Tobacco Products,' of Article VI, 'Smoking Regulations,' of Chapter 18, 'Miscellaneous Provisions' of the Town Code to increase fine amounts and amend the definition of 'Tobacco Products' to align with the Santa Clara County Ordinance."

COORDINATION:

The Police Department, Town Attorney's Office, Town Manager's Office, and Santa Clara County coordinated this report.

FISCAL IMPACT:

This action does not affect the Town's Budget and is required to continue the existing arrangement between the Town and the County for enforcement of the Ordinance provisions.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Draft Ordinance