



Department Source: Public Health and Human Services

To: City Council

From: City Manager & Staff

Council Meeting Date: February 4, 2019

Re: Tobacco Retail Licensing

## Executive Summary

An ordinance amending Chapter 11 Article X of the City code and enacting new provisions regarding the licensure of tobacco retailers within the City of Columbia.

## Discussion

At the November 5, 2018 Council meeting, Council accepted a report from the Board of Health in support of Tobacco Retail Licensing and directed staff to draft legislation for Council consideration.

The proposed legislation requires all tobacco retailers to obtain a license annually, at no cost, from the Business Services Administrator. The ordinance describes the application procedure, and the duties of a licensed tobacco retailer. One of the primary reasons for requiring a license is to allow for the identification and location of all tobacco retailers. Consequently, retailers with multiple locations will be required to obtain a license for each location. The proposed legislation describes penalties that can be assessed by the municipal judge for violations (ranging from \$200 - \$1,000), as well as the process for suspension or revocation of the license, with a due process for appeal through a tobacco retailer license review board.

As stated above, there will be no fee for the license at this time. Such a fee will need to be established through an election per the Hancock Amendment. As a result, enforcement of the ordinance will be minimal due to a lack of resources to implement an enforcement program. We believe we can accomplish one annual inspection of the facility to assure there is appropriate signage per the ordinance, display of the license, etc. In addition to these inspections, compliance checks may be achievable on a very limited number of facilities pending future grant funding or identification of new resources.

The ordinance would be effective on June 30, 2019. This will allow the licensure cycle to correspond with the annual business license cycle.

## Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None



## Strategic & Comprehensive Plan Impacts

### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action

## Suggested Council Action

Should the Council agree with staff recommendations, an affirmative vote is in order.