



Legislation Text

File #: 18-341, **Version:** 1

RESOLUTION of the City Council for the City of San Leandro to Approve the Establishment of a Tobacco Retailer's License Fee of Up to \$500 Per Year and Including the Tobacco Retailer's License Fee in the Master Fee Schedule for Fiscal Year 2018-19

WHEREAS, on October 16, 2017, the City Council adopted the tobacco retailers ordinance, codified in San Leandro Municipal Code Chapter 4-36, that requires tobacco retailers to obtain a tobacco retailer's license; and

WHEREAS, pursuant to San Leandro Municipal Code Section 4-36-500, the City is authorized to establish a fee to recover the cost of administration and enforcement of San Leandro Municipal Chapter 4-36; and

WHEREAS, enforcement of San Leandro Municipal Code Chapter 4-36 will require City staff to conduct compliance checks to determine if local tobacco retailers are conducting business in a manner that complies with laws regulating youth access to electronic cigarettes, electronic cigarette paraphernalia, electronic cigarette products or flavored tobacco products; and

WHEREAS, enforcement of San Leandro Municipal Code Chapter 4-36 will also include, but not be limited to, developing and maintaining a database of local tobacco retailers, providing information to tobacco retailers regarding the provisions of San Leandro Municipal Code Chapter 4-36, developing and maintaining information regarding products that are disallowed for retail sale, and conducting periodic in-person compliance checks and decoy operations; and

WHEREAS, the City has conducted an analysis and recommends an annual fee of up to five hundred dollars (\$500) per tobacco retailer for the reasonably-related costs of the above referenced enforcement efforts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Leandro hereby:

1. Approves the Tobacco Retailer's License Fee following notice and hearing as may be required by law, and amends Title 6, Chapter 4, Section 6.4.100 of the San Leandro Administrative Code ("Fee Schedule"); and
2. That the adopted Fee Schedule shall be attached to and made a part of this resolution; and
3. That the provisions of the Fee Schedule shall take effect retroactively to July 1, 2018.