



## MEMORANDUM

DATE: October 17, 2013

TO: Standing Ordinance Committee

FROM: Winnie Cai, Deputy City Attorney

SUBJECT: **Tobacco Licensing and Second Hand Smoke Ordinances**

---

On May 7, 2013, the City Council heard an item on whether the City should adopt local tobacco retailer licensing and second hand smoking ordinances, separate from state regulations that already exist in these areas. The City currently does not have local ordinances on the issues. Council voted to have the Ordinance Committee explore the item further.

On August 1, 2013, the Ordinance Committee determined that such ordinances should be adopted and provided guidance on major components of the ordinances. At the public hearing, the Committee was presented with the County of Santa Barbara's ("County") offer to enforce the City's eventual tobacco retailer licensing ordinance in exchange for \$379/retailer/year, which is about \$14,781/year based on 39 retailers in the City. In trying to make a determination, the Committee requested that the City conduct its own fee study on its reasonable costs of enforcing its own ordinance. Staff has conducted the fee study and the chart below represents a comparison of the costs of enforcement by the City and County.

	<b>City Only</b>	<b>City &amp; County</b>
Issuance of License	\$124*	
Enforcement	\$183.65	\$379
<b>Total</b>	<b>\$307.65</b>	

\* The cost of renewal of the license is \$115.13. For the purposes of this review, only the issuance of the license fee has been represented in the chart.

In addition, staff has drafted the second hand smoking and tobacco retailer licensing ordinances based on the Committee's feedback. Staff requests any additional comments so that final versions may be presented to the Council for consideration.