

# Tobacco Retail License Policy Options

Eureka, CA

## The Basics (Core elements of policy)

- All tobacco product retailers must obtain a nontransferable License.
- Pay an annual licensing fee that fully covers all program costs, including administration and enforcement.
- Licensing program will be administered by (eg, who issues the license?):
- Licensing program will be enforced by \_\_\_\_\_ but also enforceable by any agency.
- Youth decoy operations will be conducted by (if different from enforcement agency):
- Each violation results in a suspension of the privilege to sell tobacco products and paraphernalia for (30) days for a 1st licensing violation; (90) days for a 2nd violation; (365) days for a 3rd violation; and revocation of the privilege for a 4th violation.
- Number of years past violations will be tracked (minimum of 5 years):
- Number of mandatory inspections is (eg, times each store is checked per year): 1
- The hearing process will be an administrative process (attorneys and court system need not be involved).

## Additional Recommended Options (with brief explanation).

- **Prohibit the sale of all flavored tobacco products.** This would allow for local enforcement of the statewide ban on flavored tobacco.
- **No new licenses near schools and youth-populated areas (1000’).** This would be similar to the policy for cannabis operations and would have potential impact on approximately 7 stores over time.
- **Restrict placement of tobacco products and advertising in kid-friendly locations.** Set a minimum distance between tobacco advertising visible from youth-oriented facilities (1000’), and advertising and tobacco products within the store (5’) in proximity to kid-friendly products such as candy, chips, sodas, etc.
- **New tobacco retailers must be located a specified minimum distance from existing retailers.** This prevents inequitable concentration of unhealthy options in neighborhoods such as the Westside, West Harris and Courthouse area.
- **No license for a business that contains a pharmacy.** Corporate pharmacies (such as Walgreens and Rite-Aid) are now used to this and will comply without argument. There are currently no independent pharmacies in Humboldt County that sell tobacco.
- **Number of new licenses is limited based on population.** State Alcoholic Beverage Control (ABC) recommends 1 retailer for every 2,500 people. The statewide rate is 2. Eureka has 3.25. This can be reduced over time with this provision in place along with those listed above.

Here is a useful GIS developed by Stanford University to explore. <https://cthat.org/>