

# Request for Council Action

Originator Public Health	Item <b>E-Cigarettes and Pack Size</b>
Agenda Section	Date 8/11/2014

Description

Study Item

**Background**

At the June 9, 2014 City Council Study Session, Public Health and the Association for Non- Smoker Rights Minnesota (ANSR) staff presented information concerning youth tobacco use and electronic cigarettes. They also provided examples of policy that would incorporate e-cigarettes in the Bloomington's smoke-free ordinance. In addition, ANSR presented materials concerning pack size and a new ordinance adopted by the City of Brooklyn Center that sets a minimum price and pack size for cigars.

During the meeting, the City Council directed Public Health and Legal to update the current City Code to include electronic cigarettes. The City Council also requested that staff look into addressing pack size and flavored tobacco products.

A workgroup made up of Public Health, Legal, Environmental Health, Parks and Recreation, Police, and Licensing met on June 25 and July 16 to review potential ordinance changes. Staff will discuss the draft ordinance changes at the City Council study meeting on August 11. These changes include:

- Prohibition of e-cigarette use in all indoor spaces.
- Prohibition of vaping lounges for sampling e-cigarettes.
- Requirement that cigars must be sold in packs of no fewer than five cigars unless they are sold for \$2.10 apiece before sales tax.

Staff plan to present the draft ordinance changes to the Parks and Recreation Commission for review and approval at their September 10, meeting and the Advisory Board of Health at their September 23 meeting.

Following a review of flavored tobacco products, staff is recommending that no restrictions be placed on the sale of all flavored tobacco products including cigars. Please see attached memo from Legal for reasoning.

Requested Action

Staff is requesting that the City Council provide feedback on the enclosed changes to the City Code amending Chapters 5, 12 and 14 as they relate to the use of electronic delivery devices and tobacco sales.

Attachments:

Ordinance to Amend Ch. 5, 12, 14  
 BUY Ltr of Support 07/30/14  
 Ban of Flavored Tobacco Products Memo 06/27/14  
 Emerging Tobacco Products PPT  
 WSJ Article re: E-cigarettes  
 NYT Article re: E-cigarettes