



THE CITY OF
NOVATO
CALIFORNIA

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Mayor
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Pam Drew
Pat Eklund
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City Manager
Regan M. Candelario

November 29, 2017

Re: Amending the Tobacco Retail License Ordinance

Dear Owners & Managers of stores, drug stores, mini-marts, gas stations and other businesses that sell tobacco or tobacco-related products:

The Novato City Council voted on Tuesday, January 31, 2017 to enact a Tobacco Retailing License (TRL) Ordinance that is currently scheduled to go into effect on January 1, 2018. We met with many of you on March 30, 2017 to discuss the TRL Ordinance and work together to amend two of the subsections of the ordinance. These changes and other amendments are included in a table on page 2 of this document.

We are writing to let you know that staff is returning to Council on December 5, 2017 to amend the ordinance to both incorporate the changes we agree to make and to update the implementation schedule.

The Council meeting to introduce the ordinance will be:

Date: Tuesday, December 5, 2018

Time: Meeting begins at 6:00pm

Location: Margaret Todd Senior Center 1560 Hill Road, Novato, CA 94947

Staff will notify you of the outcome of the December 5th meeting and subsequent January 9, 2018 public hearing or you may visit: www.novato.org/smokingordinance for up to date information on the process including a comprehensive timeline and documents.

Thank you,

Jessica Deakyne
Senior Management Analyst

Item	Adopted Ordinance	Amended Ordinance
Age of seller (Section 7-8.3, e)	No Person who is younger than the minimum age established by law for the purchase or possession of Tobacco Products shall engage in Tobacco Retailing.	No Person who is younger than 18 years of age shall engage in Tobacco Retailing.
Pharmacy language (Section 7-8.3, j)	No license may be issued to authorize Tobacco Retailing in a Pharmacy.	No license may be issued to authorize Tobacco Retailing in a Pharmacy and no pharmacy shall engage in tobacco retailing at any time.
Application Procedure (Section 7.8-4, d)	Tobacco retailers in existence on the enforcement date specified in section 7-8.14 shall apply for a license within 90 days of said enforcement date.	Tobacco retailers in existence on the enforcement date specified in section 7-8.14 shall apply for a license during the 2019 business license renewal process which will be due on or before January 1, 2019. Existing Tobacco Retailers will then apply annually during the business license renewal process.
License renewal and expiration (Section 7-8.6, a)	A Tobacco Retailer's license is invalid if the appropriate license fee has not been timely paid in full or if the term of the license has expired. The term of a Tobacco Retailer license is one calendar year. Each Tobacco Retailer shall apply for the renewal of his or her Tobacco Retailer's license and submit the license fee no later than November 30 of each year, commencing on November 30, 2018, and annually thereafter.	A Tobacco Retailer's license is invalid if the appropriate license fee has not been timely paid in full or if the term of the license has expired. The term of a Tobacco Retailer license is one calendar year. Each Tobacco Retailer shall apply for the renewal of his or her Tobacco Retailer's license and submit the license fee no later than January 1 st of each year and annually thereafter.
Suspension or revocation of license for violation (Section 7.8.11, a 1-4)	Upon a finding by the Department of a first violation of this section at a location within any sixty (60)-month period, the license shall be suspended for thirty (30) days.	Upon a finding by the Department of a first violation, the Tobacco Retailer will be issued a warning.
Enforcement timeline (Section 7-8.14)	This section shall not be enforced by the City until January 1, 2018.	This section shall not be enforced by the City until January 1, 2019 with the exception of Subsection 7-8.3, j which shall be enforced as of the effective date of this Ordinance.