

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to prohibiting tobacco sales near schools.

Recommendation for Council action, pursuant to Motion (Parks - LaBonge):

REQUEST the City Attorney, in consultation with the City Planning Department, to prepare and present an ordinance that prohibits tobacco sales near schools, and which includes the following policy objectives:

1. Sales Prohibition: At a minimum prohibit sales of tobacco products within 600 square feet of a school, however, 1,000 square feet of a school would be preferable.
2. License Revocations: If an ordinance grandfathers existing tobacco retailers in close proximity to schools, then those retailers should be subject to a tougher penalty schedule including license revocation after a third violation of selling tobacco to minors.
3. Limited Hours of Operations: If an ordinance grandfathers existing tobacco retailers, the hours of operations/sales should include, but not limited, to prohibit sales during school hours, hours when students are walking to school, and hours when students are walking home from school.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At its meeting held on January 19, 2010, the Planning and Land Use Management Committee considered and, after an opportunity for public comment, recommended that Council approve Motion (Parks - Labonge) relative to preparing an ordinance that prohibits tobacco sales near schools. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	ABSENT
KREKORIAN:	YES

PYL
1/21/10
[09-2870_rpt_plum](#)