

Vaping lounges and E- cigarette Shops Owners
City of Long Beach, California
March 11, 2014

The Honorable Council Members:

Dr. Robert Garcia, Vice Mayor
Mrs. Suja Lowenthal
Mr. Gary DeLong
Mr. Patrick O'Donnell
Mrs. Gerrie Schipske
Mr. Dee Andrews
Mr. Janes Johnson
Mr. Al Austin
Mr. Steven Neal

Dear Council Members:

We respectfully request for you to introduce an amendment to the Ordinance adopted in the city of Long Beach on March 4, 2014 related to Electronic Cigarettes and similar devices:

To provide an exemption for the use of electronic smoking devices at vaping lounges and e-cigarette specialized stores.

This amendment is critical for the following reasons:

- 1) **Consumer experience and satisfaction:** The use of electronic cigarette is very different from smoking regular cigarettes. It requires "sampling" of products by consumers and training on using and customizing sophisticated electronic devices to consumers' preferences. For instance, when many of our clients start to vape in order to quit cigarettes, they spent anywhere from 2-10 hours trying various juice flavors and tuning up their device so that it would satisfy their psychological oral fixation, without harming their body and those around them with tar that accompanies traditional cigarette smoke. In fact, the strongest predictor of the success rate of transitioning from cigarette smoking to vaping is the amount of time the smoker spends in customizing their vaping experience via juice and device testing. Furthermore, the ability to try the product in the vape store and getting the necessary training to properly use the device is the only reason our consumers purchase the products in a local business, rather than purchasing the products online.
- 2) **Protection of Consumer Rights:** There is no doubt that the act of vaping is less hazardous than cigarette and cigar smoking. More importantly, the negative externalities to society as a whole are much less severe because unlike traditional cigarette/cigar smoking, vaping devices do not produce tar that can travel through the atmosphere into the lungs of bystanders. Taking this into account, the current ordinance (void of our proposed amendment), limits vaporers' and vape stores' rights more harshly than those of cigar smokers and smoking lounges. Despite the fact that electronic cigarettes are less hazardous than traditional cigarettes and cigars, the recent ordinance discriminates our (vape shops and vape consumers) rights more harshly compared to existing cigar and smoking lounges and smokers. The ability to vape inside a vape store protects vapors' inherent rights without harming the rights of anyone else.

- 3) **Economic Impact on various stakeholders:** As we mentioned earlier, compared to the online stores, the main advantage of vape brick-and-mortar shops is the opportunity they give to their customers to choose the right product, be properly educated and trained, and tuning, repairing and testing of complex electronic devices. This is the reason we exist, even though everything we sell can be purchased online where prices are lower, age verification is cosmetic and taxes are not imposed. If the current ordinance is not amended, the business of a retail vape store will cease to exist in Long Beach, along with the job opportunities it creates (i.e. we currently employ 40 employees), the revenue it generates to the city and commercial real estate.
- 4) **Protection of Minors:** We are fully onboard with the City's concerns regarding the act of vaping by minors. Given that minors can purchase vape devices and juices online, we, the shop owners, should be considered as a key component to limiting access to age-restricted vaping products. We take our obligation of age control very seriously and it is embedded in our businesses both from an ethical and operational standpoint. The current ordinance, inadvertently favors online unregulated retailers that are the primary source of vaping devices and juices to minors. The amendment that we propose, will allow us to maintain our advantage over online retailers and this advantage is the only thing that will hinder online retailers' growth and excessive availability of vaping products to minors.

To summarize, the Long Beach City Ordinance that was passed in the city of Long Beach equating vaping with cigarette smoking, is a violation of consumer rights, has a negative economic impact on various stakeholders, and will only exacerbate the problem of access of vape products to minors. This is why many cities who elected to pass similar ordinances (e.g. Los Angeles City Council (March 4, 2014), and Santa Maria City Council (March 5, 2014), also passed the amendment that we are proposing to you. Without this amendment, the Ordinance will drive out vape shops out of Long Beach, push Long Beach vaporers to purchasing their vape products online and/or travel to neighboring Los Angeles, where vaping in vape shops is allowed.

Please consider our request for an amendment to the Ordinance adopted in the city of Long Beach on March 4, 2014 relating to Electronic Cigarettes. This would be beneficial both for the City and the Community of Long Beach.

Sincerely,

Vaping lounges and E- cigarette Shops Owners
City of Long Beach, California
March 11, 2014

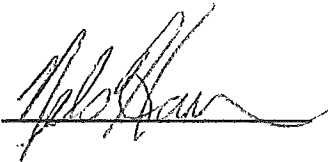
Company name: **Breathe Vape Spot**

Address: 5107 E Pacific Coast Hwy, Long Beach, CA 90804

District: 3

Phone: (562) 498-8273

Owner's name:

Signature: 

Date 3/8/14

Company name: **Vapor Craze**

Address: 3837 Atlantic Ave, Long Beach, CA 90807

District: 8

Phone: (562) 366-1150

Owner's name: **Matthew Woertler**

Signature: _____

Date _____

Company name: **iVape**

Address: 1818-B Palo Verde Ave, Long Beach, CA 90815

District: 4

Phone: (562) 430-0900

Owner's name: **Darwin Isidro**

Signature: _____

Date _____

Company name: **The Vapor Underground**

Address: 207 Pine Ave. Long Beach, CA 90802

District: 2

Phone: (562) 999-6438

Owner's name: **Kenneth Renny**

Signature: _____

Date _____

Company name: **VapinUSA**

Address: 256 Elm Ave, Long Beach, CA 90802

District: 2

Phone: (562) 912-4770, 4771

Owner's name: **Alan Schroeder**

Signature: _____ 

Date 3/11/2014

Company name: **Smokless Success**

Address: 3800 E Anaheim St. Long Beach, CA 90804

District: 4

Phone: (562) 567-3244

Owner's name: **Bill Blowitz**

Signature: _____

Date _____

Company name: **Vapes of Wrath**

Address: 4103 N Viking Way Ste D. Long Beach, CA 90808

District: 5

Phone: (562) 420-8281

Owner's name: **James Demetra Pappas**

Signature:  _____

Date 5/8/14

Company name: **VaporLand**

Address: 6340 E Spring St., Long Beach, CA 90815

District: 5

Phone: (562) 354-0051

Owner's name: **Thomas Nix**

Signature: _____

Date _____

Company name: **Vapor Stream**

Address: 4505 Orange Ave., Long Beach, CA 90807

District: 8

Phone: (562) 612-4181

Owner's name: **David Buth**

Signature: _____

Date _____

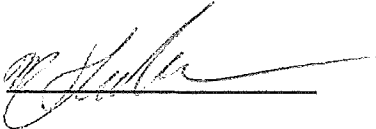
Company name: **E-Cig City Long Beach**

Address: 106 W 3rd St, Long Beach, CA, 90802

District: 2

Phone; (562) 590-6030

Owner's name: **Mike Shaknovich**

Signature: 

Date 8 March 2014

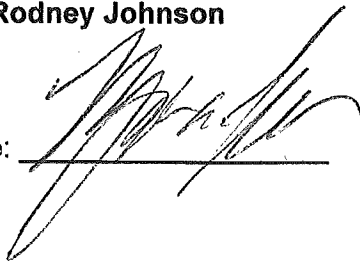
Company name: **Beach City Vapors**

Address: 2200 N Lakewood Blvd., Long Beach, CA 90815

District: 4

Phone: (562) 494-3244

Owner's name: **Rodney Johnson**

Signature: 

Date 8 March, 2014

Company name: **Kiss My Vape**

Address: 4158 Norse Way, Long Beach, CA 90808

District: 5

Phone: (562) 452-7452

Owner's name: **Dominic Sanzone**

Signature: _____

Date _____