



Legislation Text

File #: 21-0291, **Version:** 2

Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating Sections 5.81.010 and 5.81.070; and by repealing Chapter 5.94, all relating to the sale of flavored tobacco products, read and adopted as read. (Citywide)

Pursuant to your request on February 9, 2021, this Ordinance has been amended and is submitted for your consideration and approval.

This Ordinance amends Chapter 5.81 of the Long Beach Municipal Code (LBMC) to prohibit the sale of all flavored tobacco products in the City, including, but not limited to, flavored cigarillos, flavored electronic cigarettes and fluids, and flavored cigarettes, including menthol cigarettes.

This Ordinance does not apply to:

- The sale of shisha tobacco products by a hookah tobacco retailer if certain conditions are met;
- The sale of premium cigars sold in cigar lounges where products are purchased and consumed only on the premises; and/or
- The sale of loose-leaf tobacco or premium cigars.

This Ordinance includes a ninety (90) day moratorium on enforcement from the effective date of this Ordinance to allow tobacco retailers time to sell off any product acquired after the City's temporary flavored tobacco prohibition in Chapter 5.94 of the LBMC (January 4, 2021) became inoperative.

This Ordinance will also become inoperative and repealed on the effective date of any Statewide prohibition on the sale of flavored tobacco products. Unless and until a Statewide prohibition on the sale of flavored tobacco products is in effect, this Section may be amended or repealed at any time by an ordinance adopted by the City Council. This Ordinance also repeals Chapter 5.94 of the Long Beach Municipal Code.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING AND RESTATING SECTIONS 5.81.010 AND 5.81.070; AND BY REPEALING CHAPTER 5.94, ALL RELATING TO THE SALE OF FLAVORED TOBACCO PRODUCTS

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