



## Legislation Details (With Text)

<b>File #:</b>	23-0224	<b>Version:</b>	2	<b>Name:</b>	CA - Flavored Tobacco Products
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	3/6/2023	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	3/21/2023	<b>Final action:</b>		<b>Final action:</b>	3/21/2023
<b>Title:</b>	Recommendation to declare ordinance amending the Long Beach Municipal Code by repealing Section 5.81.070(F), relating to a prohibition on the sale of flavored tobacco products, read and adopted as read. (Citywide)				
<b>Sponsors:</b>	City Attorney				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 031423-ORD-17sr&att.pdf, 2. 032123-ORD-38att.pdf, 3. ORD-23-0015.pdf				

Date	Ver.	Action By	Action	Result
3/21/2023	2	City Council	approve recommendation and adopt	Pass
3/14/2023	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance amending the Long Beach Municipal Code by repealing Section 5.81.070(F), relating to a prohibition on the sale of flavored tobacco products, read and adopted as read. (Citywide)

This office has prepared and submits the above described Ordinance for your consideration.

Effective January 1, 2023, Senate Bill 793 (SB 973) imposed a statewide ban on the sale of most flavored tobacco products. By its own terms, Long Beach Municipal Code section (LBMC) 5.81.070(F) became inoperative and was repealed once SB 973's Statewide prohibition on the sale of flavored tobacco products took effect on January 1, 2023. For this reason, this Ordinance formally repeals said section from the Municipal Code.

Long Beach Health and Human Services will enforce the Statewide flavored tobacco ban through its Tobacco Retail Enforcement Program. Under LBMC Ch. 5.81, a violation of any federal, state, or local tobacco control law may result in a suspension or revocation of the businesses' tobacco retail permit.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY REPEALING SECTION 5.81.070(F),  
RELATING TO A PROHIBITION ON THE SALE OF

FLAVORED TOBACCO PRODUCTS

DAWN MCINTOSH,  
CITY ATTORNEY