

June 20, 2023

Stockton City Council City of Stockton
425 N. El Dorado Street, 1st Floor
Stockton, CA 95202

Re: (Agenda item) Dear Mayor Lincoln, Vice Mayor Warmesley and Council Members,

It is the understanding of the San Joaquin Tobacco Outreach and Prevention Program (STOPP) Coalition that you are considering a tobacco retailer licensing (TRL) ordinance.

Adopting a comprehensive tobacco retail licensing ordinance, restricting flavored tobacco, and including adequate fees to support enforcement is a best practice and the strongest way to enforce tobacco sales laws at the local, state, and federal level. In a public opinion poll conducted by San Joaquin County Public Health Services, 90% of all respondents' support having a local TRL, including 85% of tobacco users. Ninety-five percent of respondents who were in favor of the TRL were from Stockton. (Healthy Stores for a Healthy Community survey, 2020).

The City of Stockton has an oversaturation of tobacco retailers, large and small, that are contributing to the proliferation of vape products collected from students in schools; 264 retailers are enough and could quite frankly be fewer.

As you are considering this ordinance, we urge you to:

- Include ALL retailers (not only smoke shops) in the definition of retailers.
- Require one annual compliance check per retailer.
- Include strong enforcement that places penalties on the licensees and not clerks or customers.
- Close loopholes in SB793 by prohibiting the sale of all flavored tobacco products without exemptions.
- Require 600 feet distance between retailers.
- Ensure licenses are non-transferable.
- Place a moratorium on any new licenses until the ordinance is implemented.

A strong, escalating penalty structure will deter tobacco sales to youth and support a level playing field for businesses across the region.

In support of The San Joaquin County Smoking & Tobacco Outreach/Prevention Program (STOPP) Coalition works with schools, community-based and faith-based organizations, law enforcement, businesses, and residents of San Joaquin County. We ensure all community members can live, work, play, and learn in tobacco-free environments. To accomplish this goal, the STOPP Coalition provides education, coordination, advocacy, and support of tobacco control activities in the community and oversees the development, implementation, and evaluation of the San Joaquin County Public Health Services Tobacco Control Plan.

We look forward to collaborating and assisting you with tobacco control efforts to protect our community.

Sincerely,

Ryan McClinton, Program Manager, First Response Transformation Campaign
In support of The STOPP Coalition



The SOL Project, Saving Our Legacy, African-Americans for Smoke-Free Safe Places

June 20, 2023

Stockton City Council
City of Stockton
425 N. El Dorado Street, 1st Floor
Stockton, CA 95202

Re: 15.2 23-0491 ADOPT AN ORDINANC RELATED TO TOBACCO RETAILERS

Dear Mayor Lincoln II, Vice Mayor Warmesley and Council Members,

In the San Joaquin valley 22.8% of African Americans and 18.7% people living below the federal poverty level smoke cigarettes compared to 12.4% of the general population. Smoking is ***still*** the major cause of death—killing more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined.

Requiring ALL retailers to be licensed with No Exemptions, closing loopholes in SB 793, placing buffer zones around schools, and limiting the density of tobacco retailer licenses with strict enforcement prevents youth access and helps those who use tobacco, to quit. Over 134 jurisdictions in 26 counties in California have already passed these types of policies. Local laws can have immediate impacts on improving the health of their residents.

Tobacco retailer licensing programs gives more local control to cities to monitor how retailers can sell tobacco and be able to afford to enforce local, state and federal laws. These programs ensure retailers are not selling products illegally. They provide strict guidelines that meet the needs of the community to address zoning and placement issues of new tobacco retailers near youth-serving and family-friendly sites like schools, parks, and youth centers. Including all retailers in the definition of a retailer makes for a level playing ground for all businesses and is a best practice.

The SOL Project advocates for healthy, smoke-free communities in Gold Country Counties. Please let us know how we can be a resource to you as you go through this process.

Thank you,

Kimberly Bankston-Lee

Kimberly Bankston-Lee
Senior Program Director

June 20, 2023

Stockton City Council
City of Stockton
425 N. El Dorado Street, 1st Floor
Stockton, CA 95202

Re: 15.2 23-0491 ADOPT AN ORDINANC RELATED TO TOBACCO RETAILERS

Dear Mayor Lincoln, Vice Mayor Warmsley and Council Members,

The San Joaquin Tobacco Outreach and Prevention Program (STOPP) Coalition encourages you to adopt a strong Tobacco Retailer Licensing (TRL) ordinance. Adopting a comprehensive TRL ordinance, restricting flavored tobacco, and including adequate fees to support enforcement is a best practice and the strongest way to enforce tobacco sales laws at the local, state, and federal level. In a public opinion poll conducted by San Joaquin County Public Health Services, 90% of all respondents' support having a local TRL, including 85% of tobacco users. Ninety-five percent of respondents who were in favor of the TRL were from Stockton. (*Healthy Stores for a Healthy Community survey, 2020*).

The City of Stockton has an oversaturation of tobacco retailers, large and small, that are contributing to the proliferation of vape products collected from students in schools; 272 retailers are enough and could quite frankly be fewer.

We are impressed that you will be including ALL retailers (not only smoke shops) in the definition of retailers, will enact strong enforcement, require 600 feet distance between retailers and from youth-sensitive areas and ensure licenses are non-transferrable.

We urge you to:

- Ensure penalties are placed on the licensees and not clerks or customers.
- Place a moratorium on any new licenses until the ordinance is implemented.
- Conduct annual product inspections and annual compliance checks to ensure no illegal sales.
- Close loopholes in SB793 by prohibiting the sale of all flavored tobacco products without exemptions (Option B).

The San Joaquin County Smoking & Tobacco Outreach/Prevention Program (STOPP) Coalition works with schools, community-based and faith-based organizations, law enforcement, businesses, and residents of San Joaquin County. We ensure all community members can live, work, play, and learn in tobacco-free environments. To accomplish this goal, the STOPP Coalition provides education, coordination, advocacy, and support of tobacco control activities in the community and oversees the development, implementation, and evaluation of the San Joaquin County Public Health Services Tobacco Control Plan.

We look forward to collaborating and assisting you with tobacco control efforts to protect our community.

Sincerely,

The STOPP Coalition

STOPP Coalition includes members from, but not limited to...

*African American Tobacco Control Leadership Council
American Cancer Society Cancer Action Network
American Heart Association
Bay Area Community Resources, Inc.
Break the Chain Youth Health Education Council
Jakara
Lodi Unified School District
Manteca Unified School District
Public Health Advocates
San Joaquin County Office of Education
Stockton Unified School District
SOL: Saving Our Legacy, African Americans for Smoke-free, Safe Places
Youth Advocating Against Tobacco*

...And a host of community residents

06/20/23

City of Stockton

425 N. El Dorado Street, 1st Floor

Stockton, CA 95202

Re: City Council Meeting 7/20/2023

15.2 23-0491 ADOPT AN ORDINANCE AMENDING TITLE 5,CHAPTER 5.16 RELATED TO TOBACCO RETAILERS

Dear Mayor Lincoln, Vice Mayor Warmesley and City Council Members,

As a community member and volunteer on the STOPP Coalition, I commend you and your staff for working hard over the last several months to strengthen the proposed city ordinance that will require licensing of tobacco retailers. The changes you have made to require that **all** tobacco retailers obtain a city license, as well as requiring 600 feet distance between retailers and from youth-sensitive areas and ensuring licenses are non-transferrable make the Stockton ordinance much stronger and more effective. However, I and the STOPP coalition request that you consider the following additional requirements to strengthen the Ordinance even more:

- Ensure penalties are placed on the licensees and not clerks or customers
- Place a moratorium on any new licenses until the ordinance is implemented
- Conduct annual product inspections and annual compliance checks to ensure no illegal sales
- Close loopholes in SB793 by prohibiting the sale of all flavored tobacco products without exemptions (Option B).

A strong Tobacco Retail License (TRL) is a key tool to enforcement of laws pertaining to selling tobacco products to underage youth. By giving Stockton a strong tobacco control Ordinance you will protect the “health, safety and welfare of persons who reside in, work in and visit the City of Stockton” particularly our youth!

Respectfully,

Judy Yucht

Community Volunteer and STOPP coalition member

From: [Jen Grand-Lejano](#)
To: Tonight's meeting - Concerns about Tobacco Retail ordinance
Tuesday, June 20, 2023 10:02:24 AM
Cc: [ACSCAN_RGB_sm.png](#)
Subject: [Stockton_TRL flavors_location_6-20-23 cc.pdf](#)
Date:
Attachments:

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Dear Mayor Lincoln and Stockton City Councilmembers,

We are pleased that you are consider action to protect Stockton families from tobacco via the tobacco retail ordinance up for discussion tonight. There are several things we at the American Cancer Society Cancer Action Network (ACS CAN) like about this ordinance, which I've detailed in the attached letter. There are also some areas of concern where we recommend improvements.

Areas of concern:

- They present multiple options for the council on flavors, none actually written into the ordinance so it's hard to weigh in when the language isn't there. **We strongly urge Flavor OPTION B - a comprehensive end to all flavored tobacco with no exemptions.**
- There is no explicit reference to compliance checks or youth decoy operations, **we recommend one annual product inspection (checking for flavored tobacco, etc), and one annual youth decoy operation to check underage tobacco sales at all retailer**
- Ordinance is effective in 90 days after adoption EXCEPT existing retailers can wait until their current business license expires before being required to get a TRL. This could be almost a year for a new business. **We ask that all businesses that sell tobacco are required to obtain a TRL when the ordinance becomes effective.**
- Although they have a breakdown of the fee, there's no explicit statement in the ordinance that the fee will be high enough to cover the cost of the program. **We ask the fee be high enough to cover cost of license administration and enforcement.**
- They list that retailers, employees or other can be charged with a misdemeanor for any violation of the ordinance, **which we recommend against. This is a public health issue, not a criminal issue.**

I will try to make it in person tonight to make public comment, along with a volunteer who lives in Stockton and shares our concerns.

Thank you!

Jen

[Jen Grand-Lejano \(she/her/hers\)](#)

Senior Government Relations Director, Northern California & Grant Program

m: (925) 639.9130

fightcancer.org | 1.800.227.2345



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June 6, 2023

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425 N. El Dorado Street, 1st Floor
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We look forward to collaborating and assisting you with tobacco control efforts to protect our community.

Sincerely,

Charles Johnson, Program Manager of the **REACH Covid Flu** Campaign in support of The
STOPP
Coalition

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Sincerely,

Chris Cannon, Program Manager of the **Neighborhood Change Campaign (NCC)** in support of
The STOPP Coalition

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Sincerely,

Erica Donsey, Program Manager of the **Within Our REACH** campaign in support of The STOPP Coalition