



Legislation Text

File #: Ord 2245, **Version:** 1

AN ORDINANCE AMENDING SECTION 12-7000 OF THE COMMERCE CITY REVISED MUNICIPAL CODE RELATING TO THE REGULATION OF CIGARETTES, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS

Summary and Background Information:

The City council held a study session on May 13, 2019 for the purpose of reviewing the City's regulations related to tobacco and nicotine, in the light of the passage of new state legislation, which provided more local control. The City Council provided direction to staff to add regulations for nicotine based products, such as E-cigarettes and vaping products, similar to the manner in which tobacco products are regulated. The attached ordinance modifies the definition of Tobacco products, within the City Code, to include nicotine based products.

The Center for Disease Control reports that smoking and the consumption of products containing tobacco or nicotine remain one of the biggest public health problems in the United States. Each day, 1,300 people die from health problems related to tobacco or nicotine use. Further, smoking causes chronic illnesses including cancer, heart disease, stroke, lung diseases, diabetes, and chronic obstructive pulmonary disease. The US Department of Health and Human Services states that because of the rise in accessibility of vaping devices, youth are at a heightened risk. In fact, the percentage of 12th graders who reported vaping in 2018 increased to 37%, while only 28% reported usage in 2017. If the trend continues in the United States, 1 in 13 youths (17 years and younger) will die prematurely.

Passed earlier this year, HB19-1033 allows municipalities to regulate tobacco products at the local level without forfeiting the state cigarette tax revenue, in addition to other regulatory authority permitted at the local level. Ordinance 2019-2245 safeguards the lives the residents of Commerce City by establishing an age requirement (18 years or older) for the sale, purchase, consumption, and possession of all products containing tobacco or nicotine.

Staff Responsible (Department Head): Troy Smith, Deputy City Manager

Staff Member Presenting: Tory Smith, Deputy City Manager

Financial Impact: None

Funding Source: None

Staff Recommendation: Motion to approve Ordinance 2019-2245 amending section the 12-7000 of the Commerce City Revised Municipal Code.