

Will city tobacco licenses be transferable?

April 13, 2023



City councilors continued the discussion on a new, more restrictive tobacco ordinance, without the absent Jason Greenough. The proposed ordinance would mirror the one adopted by the county and the legislation passed into law by the state.

Councilors Ray Altman, Kelly Schellong, Blake Inscore and Mayor Isaiah Wright all favored a more restrictive ordinance that would ban the sale of any tobacco product in a store that contains a pharmacy, limits the issuance of tobacco retail licenses that were in business on July 1, 2022, prohibits advertising of tobacco products within 500 feet of schools, playgrounds and childcare facilities and prohibits advertising or placement within five feet of children's toys, candy, snack or non- alcoholic beverages. There was additional discussion on the transferability of the retail license, upon the sale of a business, within city limits.

City Attorney Martha Rice sought direction on this one issue before she presents a tobacco retail license for council review.

Councilor Ray Altman observed inconsistency on the transferability of the TRL. Altman stated there are now 10 retailers vending tobacco products, with the recent removal of Walgreens. He noted service stations routinely change ownership/branding that would accelerate the reduction of retailers vending tobacco products down to possibly four retailers, three liquor stores and one smoke shop. Altman stated, "...through attrition, the city will show favoritism for the remaining retailers." He acknowledged he supports a transfer clause in the TRL.

Inscore spoke of a holistic approach to community health and noted the transfer clause could be initiated when the actual number of retailers selling tobacco product lowers to a ratio of one shop per 2,500 residents, which would exclude inmates at Pelican Bay State Prison.

PBSP inmate population is counted in Crescent City population. Inscore invited tobacco retailers to the upcoming meeting to share their opinions on the proposed retail tobacco ordinance. He further declared if the council has overreacted, a future council can amend the adopted Ordinance.

"The Municipal Code is a living document," said Inscore.

Mayor Wright respectfully disagreed, saying such ordinances are rarely amended, while also stating his support for the TRL. He has not rendered an opinion on transferability of a city license.

Public Speaker Sabina Renner stated she supports a new, stricter ordinance but said her service stations sell lot of cigarettes. Renner expressed her concern, if she were to sell her business, the value of the sale would be diminished by the absence of tobacco revenue.

Schellong supports no tobacco sales in the city.

"20, 000 children are introduced to tobacco in California, annually," according to Schellong.

It is expected Counsel Rice will return to councilors at least two options on transferability of tobacco retail. The council meets this upcoming Monday at 6 p.m. at the Flynn Center.