

Council moves forward to license for tobacco retailers

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Despite differing opinions about balancing free enterprise while protecting the health of Crescent City minors, the city moved a step closer to requiring gas stations, vape shops and other tobacco retailers to get a tobacco retail license.

In a 3-2 vote, the Crescent City Council directed city staff to return with a draft TRL - a document that's likely to result in more debate about how restrictive the city should be.

"I'm not saying that there's no role for the city in this, but it is about balancing," said Mayor Jason Greenough, who along with Councilor Beau Smith opposed pursuing the ordinance.

The discussion at a recent Monday meeting was not the first time councilor's discussed a TRL. In April of last year, Amber Wier, project director for NorCal 4 Health - a California Collaborative project focused on reducing tobacco influences - advocated for Crescent City to consider regulating tobacco advertisements,

where nicotine-based paraphernalia is displayed in stores, and banning the sweeter-flavored vape products altogether.

An ad hoc committee composed of advocacy groups, business owners, Crescent City Police Chief Richard Griffin, as well as Greenough and Smith, met several times last year to discuss the city's tobacco policies.

Citing a student-led survey at Castle Rock Charter School and Sunset High School, Wier said 58 percent of those schools' students said they had vaped within the last 30 days, and that vaping use among 11th graders in all of Del Norte County increased from 16 percent to 22 percent over the last six years.

"What is really scary to me is that we are not just talking about a few kids, we're talking about a lot of kids and they come from all different socioeconomic backgrounds," Wier said.

Student's from Del Norte High School's Standing Together Overcoming addiction with Radical Movement, or STORM for short, joined Wier in the presentation and took turns speaking before the council.

"We are here to tell you what our experiences are, what we're seeing and why we think it is so important for you to support a tobacco retail license - especially one that would ban flavors and limit where kids see tobacco products," said Abby Duran, a Del Norte High School senior.

"Every time I try to use the restrooms during the passing period at the high school, most or all of the stalls have been taken up by kids vaping," added another student.

The latter observation drew a more critical view from Councilor Smith.

"I know they can't be everywhere at once, but if it smells so bad that the kids can't use the bathroom, why isn't there a staff member on that?" Smith asked, adding that stricter penalties implemented by school staff and the city's school resource officer may be warranted.

Smith's inquiry led to a broader discussion about limited staffing at schools, the ease of which students can hide small vape pens, and the efficacy of punishing students.

"That can actually cause more harm to youth and doesn't fix the reason they are doing it," responded Wier.

According to Chief Griffin, the school resource officer is there to support, but tends to defer to school administrators knowledge of students and whether tobacco use is a one time or habitual event.

"Our rule is not to do enforcement at school," Griffin told Smith, adding that possession of a vape pen is considered an infraction.

However, a second school resource officer that will focus almost exclusively on tobacco use at schools is in the recruitment phase, thanks to a grant from the Department of Justice that will fund the position for three years, including enforcement at places like skateparks and the beach

during spring break and summer months.

High Tides Vapes owner Dave Gearhart said he strongly opposes minors having access to and using tobacco products, but said the state already regulates and implements enforcement measures against retailers that sell to people under 21 years old.

“A retail license is just putting double the charge on a retail establishment,” Gearhart said.

Greenough and Smith concurred, adding that a combination of family and school oversight, as well as current restrictions in the marketplace should suffice. Assertions that drew ire from Councilor Blake Inscore.

“We have a greater responsibility in protecting the health of our citizens than big tobacco has the right to try to make money in our community,” said Inscore. “You’re defending the right for big business to make money at the expense of our citizens' health.”

“I’m not here to protect big business,” Greenough responded. “What I am here to do is to encourage good decision making where the decision starts. It starts with the individual.

After more discussion between the councilors, the gap between their opinions appeared to narrow, with each councilor agreeing that the health and safety of minors was a shared goal, but how to pursue that was less clear.

“My proposal would be to, at a future meeting, bring back a model tobacco license policy, then basically run through it with the full council,” said Public Works Director Jon Olson.

An amended motion to consider an TRL policy that would be itemized according to what the council agrees to through a majority vote passed with Councilors Inscore, Mayor Pro Tem Isaiah Wright and Ray Altman in favor.