

INSPIRE

Tobacco Prevention



Tobacco Retail Licensing in Santa Clara County

Made possible by funding from the Department of
Health and Human Services

TRL in Santa Clara County – Background

Why licensing in Santa Clara County?

- State law is weak – does little to curb tobacco sales to minors
- Over 100 local licensing policies in California – 80+ that are considered strong policies

November 2010 – Santa Clara adopted 1st TRL policy in the County

WENT INTO EFFECT ON JANUARY 22, 2011

- Applies to ALL tobacco retailers
- Must pay annual fee of \$425
- Permits are non-transferable

TRL in Santa Clara County – Key Provisions

Prohibits issuance of permits to:

- Mobile retailers/Retailers operating @ temporary events
- Retailers w/ pharmacies
- Retailers located w/in 1,000 feet of a school
- Retailers located w/in 500 feet of another tobacco retailer

Prohibits retailers from:

- Selling flavored tobacco products (except tobacco/menthol)
- Covering more than 15% of windows & doors w/ any signs
- Violating any local, state, federal law regarding tobacco products/retailing

TRL in Santa Clara County – Key Provisions Cont.

Enforcement Requirements:

- Requires that retailers be checked 2x/year to ensure no sales of tobacco to youth & 1x/year for compliance with all other components of the ordinance

Fines:

- Up to \$100 for 1st violation w/in 1 year
- Up to \$200 for 2nd violation w/in 1 year
- Up to \$500 for each additional violation w/in 1 year

Permit Suspension:

- Up to 30 days for 1st violation w/in 2 years
- Up to 90 days for 2nd violation w/in 2 years
- Up to 1 year for 3rd violation w/in 2 years

Getting the TRL passed – Lessons Learned

- Building & maintaining a strong champion or champions
- Getting County Counsel on board EARLY!
- Faced strong opposition from Tobacco Industry & business groups → Required a substantial amount of outreach
- Collaborate early on with other County Departments
- Clearly and effectively define the problem & justify the solution through data & best practices
- Took advantage of the resources and information that is already out there—Brought in the experts when necessary!

KEY TAKEAWAY: A local TRL policy is an extremely effective tool to regulate the way tobacco is sold in the community

Questions & Contact Information

Questions?

Contact Information:

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