

Legislation Text

File #: BILL NO. 16-173, **Version:** 1

AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Issue/Request:

AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Key Issues:

On July 7, 2016, the Lee's Summit Health Education Advisory Board discussed an initiative that would increase the minimum legal sale age of tobacco to 21. Raising the minimum legal sale age of tobacco products to 21 (Tobacco 21) is an important, emerging policy strategy to reduce smoking that complements and builds on proven approaches such as tobacco prevention and cessation programs and smoke-free air laws. Raising the tobacco sale age to 21 will have a substantial positive impact on public health and save lives.

The City Council, by a vote, 6 in favor, 2 opposed, agreed to consider an ordinance to increase the minimum legal sale age of tobacco to 21. Following the presentation, the Health Education Advisory Board, Law department, Police department, and Development Center met to begin drafting the ordinance. The ordinance attached for consideration will increase the minimum legal sale age of tobacco 21. This would include the sale of alternative nicotine products (non-combustible) that have not been regulated by the FDA, cigarettes, chewing tobacco, and vapor products containing nicotine.

Enforcement of the ordinance is limited to the sale and purchase of nicotine products under the age of 21 but does not include possession.

If approved, the ordinance would take effect on December 1, 2016. Prior to the effective date, the Health Education Advisory Board and city staff will notify impacted businesses of the change in ordinance. Additionally a web page on the City's website will be created to answer frequently asked questions (FAQs) and provide businesses a resource to download and print new signage.

Proposed City Council Motion:

I move for approval of AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI

Background:

Missouri currently has an above average rate of high school smoking and adult smoking. These rates would eventually result in the premature death of 128,000 children now under the age of 18, with 4,800 children becoming daily smokers each year. The direct health care costs of tobacco amount to \$3.03 billion annually, and lost productivity due to smoking amounts to \$3.04 billion. Despite this, Missouri only spends 3.2% of the CDC recommended amount on tobacco prevention.

'Tobacco 21' is a nationwide initiative that call for an increase to the legal age to buy tobacco from age 18 to 21. More information regarding this initiative can be found on the following website: <http://tobacco21.org>.

Regionally, 5 Missouri communities (Grandview, Gladstone, Independence, Kansas City, Columbia) have supported the initiative along with other metro communities in Kansas (Overland Park, Lenexa, Prairie Village, Olathe).

The Health Education Advisory Board is seeking support from the City Council to join other communities in the metro and across the nation to adopt 'Tobacco 21'

Presenter: Health Education Advisory Board Chairmen: Dr. Salanski, Dr. Kraemer

Recommendation: The Board recommends approval