

Making Change at the Local Level

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HPCDP Grantee and Contractor Meeting 2011

- Where We've Been
- Where We Are
- Current Problems
- Where We're Headed

Where We've Been

September 1995

- Tobacco Free Coalition of Benton County began efforts to reduce:
 - 1) youth access to tobacco, and
 - 2) exposure to secondhand smoke through policy change.
- Made first request to the City of Corvallis and Benton County to regulate tobacco sales and secondhand smoke exposure.

October 1996

- Joint work session:
 - Corvallis City Council and Benton County Commissioners
- Coalition recommends local government adopt ordinances that:
 - 1)Require vender assisted sales
 - 2)Require tobacco retail license
 - 3)Prohibit smoking in worksites and public places
- Asked to solicit the public and report back

- Coalition worked with staff to:
 - Compile additional research
 - Conduct public forums
 - Survey public opinion
 - February 1997 – developed 16 questions
 - mailed to 500 randomly selected registered voters
 - mailed to organizations in the community
 - placed in the local newspaper on 3 occasions
 - Survey restaurants

Survey Results

- 95% - ban smoking in all indoor public places
- 87% - ban smoking in restaurants
- 56% - ban smoking in bars
- 93% - vender assistance
- 68% - tobacco license
- 85% - regulatory approach to restrict access
- Only 1/3 of restaurants allowed smoking

May 1997

- Presented results at joint work session
- Staff was directed to draft local ordinances implementing the recommendations of the Coalition for concurrent review and action

Parallel Ordinances

- Developed City and County ordinances
 - Staff
 - Coalition members
 - Benton County Counsel
 - Corvallis City Attorney's Office

Parallel Ordinances

The proposed ordinances:

- Required a tobacco license.
 - Tack the tobacco license onto the liquor license
 - \$35 liquor license fee - an additional \$6 for tobacco
- Required vendor assisted sales.
- Linked license to compliance with other tobacco regulations.
- Protected individuals from secondhand smoke at work sites and enclosed public places.

Parallel Ordinances

- City and County ordinances looked the same
 - Bar and tobacco retail store exemptions
- City planned to remove the bar exemption
- County was still silent on the matter

Present Staff Report and Ordinances

July 1997

- Another joint meeting:
 - Commissioners and City of Corvallis, Human Services Committee
- Organized community members to comment
- Presented Staff Report and Ordinances
 - Corvallis Chief of Police and Benton County Health Administrator
 - They were worried and confused.

Is there pre-emption or not?

Option 1

1) Adopt all proposed ordinances regulating tobacco sales to minors, licensing of tobacco retailers, and prohibition of smoking in enclosed places open to the public and work sites.

MOTION: Commissioners moved to accept option one of the staff report. **3-0**

MOTION: City of Corvallis, Human Services Committee moved to recommend to City Council to adopt the Coalition recommended ordinance with a bar sunset effective in two years. **3-0**

Pass: City of Corvallis

August 1997

Corvallis City Council

- Added tobacco retail licensing and smokefree workplaces to the Corvallis Municipal Code
- Effective January 1, 1998
 - With the bar exemptions expiring on July 1, 1998

Pass: Benton County

September 1997

Benton County Board of Commissioners

- Tobacco Retail License
 - Effective Oct. 24, 1997
- Smokefree Workplace Law
 - Effective Jan. 1, 1998
 - Exemptions: Bars, bar portions of restaurants, tobacco retail stores

Where We Are

Benton County

- Tobacco Retail “Certificate” - \$6
- Bars exempt
- Tobacco retail stores exempt

Corvallis

- Tobacco Retail License - \$35
- Tobacco retail stores exempt
- 25% of hotel rooms exempt

We Have an Access Problem

- **Youth still access tobacco**
 - 2008-2009, Benton County had a 30.8% non-compliance rate compared to the statewide average of 16.7%.
 - In Benton County, 13% of 11th graders and 5% of 8th graders surveyed used cigarettes.
- **“Loosies” are being sold**
- **Tobacco licenses aren’t enforced**

And a Hookah Problem

- **Hookah use is on the rise**
 - Especially among 11th grade girls in counties with current or former hookah lounges
- **HB 2726 didn't do the job**
- **Several ICAA-exempt scenarios**
- **Corvallis is a prime location**



And an Emerging Issue

- **Electronic cigarettes appeal to youth**
 - Sold in convenience stores and mall kiosks
 - Available in candy flavors
 - Unregulated
- **AND they pose an enforcement problem**
 - Several businesses have asked if they are covered under the State and local laws



Proposed Package

1) Strengthen retail licensing requirements

- Require a fee that can maintain administration and enforcement
- Prohibit license issuance to:
 - Mobile retailers
 - Retailers operating at temporary events
- Prohibit retailers from:
 - Violating laws regarding tobacco products or retailing (e.g., State, FDA, MSA, local law)

Proposed Package

- Require retailers to:
 - Display license
 - Attend tobacco retailer education
- Require routine compliance checks
 - 2 times per year – No sales to minors
 - 1 time per year – Other components

Proposed Package

And depending on political feasibility:

- Prohibit license issuance to retailers:
 - Within pharmacies
 - Within 1,000 feet of a school
 - Within 500 feet of another tobacco retailer
- Prohibit retailers from:
 - Covering more than 15% of windows/doors with ads/signs
 - Selling flavored tobacco products

Proposed Package

- 2) Close the retail tobacco store exemption
- 3) Extend the setback to 25 feet
- 4) Restrict use of e-cigarettes indoors
- 5) Limit the sale of e-cigarettes to adults only
- 6) Prohibit free samples in all places
- 7) General cleaning

How are we going to do it?

They already made it a priority

*“Whereas, the Board of Commissioners finds that it is **necessary and in the public interest** to adopt an ordinance regulating the sale of tobacco products in the County in order to **reduce youth access to tobacco, reduce addiction to tobacco, and reduce the harmful effects of tobacco** on the health of the citizens of the County...”*

And they get a lot of mileage...

...out of the health of our community and the success of the health department.

They trust us and sort of like us.

First Steps

- Healthy Communities presentation
- Developed pro/con document and one page briefs
- Internal brief with Deputy Director and HP Manager
- Brief and mini strategy session with Health Director

First Steps

- Update the Board of Commissioners
 - The ICAA has been significantly weakened
 - We are exploring strengthening codes
 - We will return with a package in late summer
- Heads up to other key community members
 - Will you participate when ready?
- Regroup and develop full strategy

Q & A

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