



## SARATOGA CITY COUNCIL

**MEETING DATE:** December 15, 2021

**DEPARTMENT:** City Manager's Department

**PREPARED BY:** Crystal Bothelio, Assistant City Manager

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**SUBJECT: Ordinance Amending City Code Section 4-90.020 to Ban Sale of Menthol Tobacco Products**

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### RECOMMENDED ACTION:

Conduct the public hearing, introduce and waive the first reading of the attached ordinance amending City Code Section 4-90.020 (Tobacco Retailer Definitions) to extend current prohibitions of the sale of flavored tobacco products to include menthol products, and direct staff to place the ordinance on the Consent Calendar of the next regular meeting of the City Council for adoption.

### BACKGROUND:

At the November 17, 2021 meeting, the City Council directed staff to prepare an ordinance that would expand the current restrictions on the sale of flavored tobacco in Saratoga to include menthol tobacco products. If the attached ordinance is adopted, it would prohibit sale of all flavored tobacco products effective May 1, 2022. According to the [American Lung Association](#), menthol reduces the harshness of tobacco product use, is used in tobacco products to make tobacco more appealing to new users, and flavoring, including menthol, is one of the main reasons that children start using tobacco products.

Per [City Code Section 4-90](#), all businesses in Saratoga that sell tobacco products or paraphernalia are required to obtain a tobacco retailer license. There are 5 authorized tobacco retailers in the City and they have been notified of the public hearing to consider the ordinance to prohibit the sale of menthol products.

Retailer	Location
Fuel Stop/Tobacco	12015 Saratoga Sunnyvale Road
Safeway	12876 Saratoga-Sunnyvale Road
Stop N Save	12304 Saratoga-Sunnyvale Road
Vikhar/Tobacco	14395 Big Basin Way
AKS Corp/Saratoga Gas	12600 Saratoga Avenue

### ATTACHMENTS:

Attachment A – Ordinance Amending City Code Section 4-90.020 (Tobacco Retailer Definitions)