

NOTICE AND DIGEST

EMERGENCY ORDINANCE CHANGING LOCAL RULES FOR THE SALE OF TOBACCO PRODUCTS BY: (A) AMENDING OAKLAND MUNICIPAL CODE CHAPTER 5.91 TO: (1) ELIMINATE THE “TOBACCO STORE” EXCEPTION TO THE CITY’S GENERAL PROHIBITION ON THE SALE OF FLAVORED TOBACCO PRODUCTS; (2) PROHIBIT PHARMACIES FROM SELLING TOBACCO PRODUCTS; (3) IMPOSE A MINIMUM PRICE AND PACKAGE SIZE FOR CIGARS AND CIGARETTES; (4) REQUIRE THE ON-SITE PURCHASE OF TOBACCO PRODUCTS; (5) CHANGE DEFINITIONS OF TERMS; (6) MAKE ADMINISTRATIVE CHANGES FOR THE LICENSURE OF TOBACCO RETAILERS; AND (B) REPEALING OAKLAND MUNICIPAL CODE CHAPTER 8.34, WHICH PROHIBITS TOBACCO PRODUCT VENDING MACHINES IN AREAS ACCESSIBLE TO PEOPLE UNDER TWENTY ONE (21) YEARS OF AGE

This Emergency Ordinance is necessary for preserving the public peace, health, or safety due to the COVID-19 pandemic and the likelihood that individuals who purchase and consume tobacco products will be more susceptible to the COVID-19 disease. It makes several changes to the local rules for the sales of tobacco products as noted above. Pursuant to Section 213 of the Oakland City Charter, upon final adoption on first reading this ordinance will become effective immediately if it receives six or more affirmative votes.