



Tobacco and Vaping

Proposed City Code Amendments

Tobacco and Vaping



TONIGHT'S PRESENTATION

- Overview of Vaping (Police Department)
 - Statistics, Schools
- Proposed Code Amendments (City Attorney's Office)
- Questions/Direction

Tobacco and Vaping



OVERVIEW

- What is Vaping
 - Act of inhaling vapor produced by any type of e-cigarette
- Over 460 different e-cigarette brands on the market
- Use liquid called e-juice
 - Contains nicotine
 - Can vaporize THC
 - Can contain toxic chemicals



Tobacco and Vaping



LOCAL CONCERNS – HIGH SCHOOL

Between the school years of 2017-2018:

- 78% increase of e-cigarette use (statewide)

School Resource Officers handled the following vape related incidents last year:

- Millennium: 42 (2 incidents this year)
- Desert Edge: 54
- Estrella Foothills: 51



Tobacco and Vaping



E CIGS AND SCHOOL, A.R.S. 13-3622

- Illegal for a minor to purchase or possess vaping products
- Illegal to supply or sell these products to a minor
- School discipline can include long term suspension or potential expulsion
- Can lead to additional charges if other drugs are present

Proposed Code Amendments

City Attorney's Office
Donna Bronski

CURRENT REGULATIONS

- City code currently prohibits smoking (but not vaping):
 - In City buildings and vehicles AND
 - In public places of employment and restaurants

Proposed Code Amendments



CHAPTER 11 SECTION AMENDMENTS

AMENDS two (2) EXISTING sections to add vaping to the existing smoking regulations

ADDS three (3) NEW sections that prohibit:

- Smoking and vaping in City parks & trails;
- Smoking and vaping at schools and school related events; and
- SALE of tobacco products and devices to persons under the age of 21.

MODIFIES Penalty Provisions

Proposed Code Amendments



EXISTING SECTION 11-1-17 SUMMARY

Smoking and Vaping Prohibited in City Enclosed Facilities and Vehicles

- Currently, smoking prohibited in city buildings and vehicles
- Modifies current smoking regulations to include vaping
- Updates and Adds Definitions with Vaping-related terms
 - E.g. New “Tobacco Product” definition regulates products with tobacco or nicotine that are smoked, vaped or otherwise ingested

Proposed Code Amendments



EXISTING SECTION 11-1-18 SUMMARY

Public Non-Smoking

- Currently, smoking prohibited in businesses and restaurants and within 25 ft. of main entrance/10 ft. of other entrances
- Modifies current smoking regulations to include vaping
- Updates and Adds Definitions with Vaping-related terms
 - E.g. New “Smoking Device” definition regulates any device that delivers or is capable of delivering nicotine to a person

Proposed Code Amendments



NEW SECTION 11-1-35 SUMMARY

Regulation of Smoking and Vaping in City Parks and Trails

- New code making it unlawful to smoke (or vape) in City parks, ball fields or on City trails (park rules currently prohibit smoking)
- Violation of this section is a petty offense, with an increasing penalty for repeat offenses

Proposed Code Amendments



NEW SECTION 11-1-36 SUMMARY

Sale of Tobacco Products or Smoking Devices Prohibited to Persons Under the Age of Twenty-One (21)

- New regulations making it unlawful to **SELL** Tobacco Products (including vaping products) or smoking/vaping devices to persons under the age of 21
- Sellers must check photo I.D.s
- Violation of this section is a misdemeanor

Proposed Code Amendments

NEW SECTION 11-1-37 SUMMARY

Smoking and Vaping Prohibited at Schools and School Related Events

- New City regulations prohibiting smoking (and vaping) at school and at school related events [e.g. schools, school grounds, school buses.]
- Grades kindergarten thru 12; all public, charter and private schools
- Violation of this section is a petty offense, with an increasing penalty for repeat offenses

Proposed Code Amendments



EXISTING SECTION 1-8-1 (PENALTY) AMENDMENT

1-8-1 Penalty Subsection (C) *(Amended)*

- Currently, City Court may treat misdemeanor violations of Goodyear City Code as civil offenses
- Amended to ALSO allow petty offenses to be enforced as civil offenses

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NEXT STEPS:

- Council Consideration and Approval – September 23 Council Meeting
- Public Outreach Meeting (date to be determined)
- 90-day educational period before city starts issuing citations

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DISCUSSION

Questions?
Direction?