



<p>3. Existing City Council Tobacco Ordinance Ch. 8 Sec. 3</p>	<p>Karyn Clark, Director of Public Health will introduce the topic.</p> <p>Karyn worked with Councilor Rivera and the public health subcommittee last year on updating the tobacco regulations relative to youth access and environmental tobacco smoke. Updates were to the ordinance were adopted by City Council in November of 2015.</p> <p>Want to work collectively on addressing this issue.</p> <p>Karyn passes out tobacco community facts sheet.</p> <p>Over 42,000 smokers in the city, adult smoking rate 23.4%, (46% higher than Massachusetts in general)</p> <p>Need to work upstream on the issue, a large portion of smokers begin before the age of 18.</p> <p>We know that people want to quit, need to support them.</p> <p>Worcester is the Host agency for tobacco control grant to do policy and enforcement in 19 towns.</p> <p>Other information regarding sales to minors. Also around 300 retailers in the city. Includes hookah bars, vape shops and a tobacconist. Includes mini-marts and convenience stores. Anyone who sells needs a permit from the division of public health. \$150 dollars every year and a \$50 dollar late fee.</p> <p>Need to adjust current ordinance, look at youth access, environmental tobacco smoke, hookah and nursing homes.</p> <p>Worcester has 11 hookah bars as opposed to Boston has 4. In a recent article in the Worcester Sun, a Vape Shop retailer made the comment that Worcester is the mecca for tobacco retailers and hookah because the regulations are so lenient.</p> <p>Already in the ordinance;  Ban out of package sales.  Ban Self Service displays.  Ban Roll-Your Own machines.  Ban in pharmacies.  No tobacco sales in educational institutions  Smoke free buffer zones around municipal buildings</p> <p>In reference to what the council adopted back in November;  Regulated the sale of nicotine delivery products and include in the definition of tobacco.  Vape Shops are required to have a retail permit, now have educational / retail inspections and compliance checks.  Cessation signage now up in the retail environment.  Not able to renew permit if outstanding fines to the City.  Ban the sale of blunt wraps (made from tobacco) these were ban several years ago. The vendors have started to slightly change the product and packaging to get around these regulations.  Ban any coupons for tobacco products.  Fining structure \$300 across the board (changed back in November)</p>
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<p>A. Request that City Council Amend City of Worcester Revised Ordinances of 2008, Tobacco Control Ordinance, Ch. 8 Sec. 3 (j)(6) to include violations of subsection (c)</p> <p>B. Incorporate AG Reg 940 CMR 21.00 into Ordinance</p>	<p>Tolling period changed to 24 months (violation stays on record for that time period).  New, ban on smoking in municipally owned parks, playgrounds, athletic fields and beaches.  Also new, enforcement of the Smoke-Free Workplace Law for e-cigarettes and other nicotine delivery products.  Cigar packaging and pricing (did not get adopted).</p> <p>Councilor Economou – how does the fee of \$150 for the permit compare to other communities?</p> <p>Karyn: Did a fee analysis of other communities within our public health alliance and for example West Boylston charges \$30, others charge \$150, it varies.</p> <p>Cheryl: Varies across the state, have seen fees as high as \$600 but \$150-\$200 seems to be around the average.</p> <p>Councilor Economou: How has enforcement helped?</p> <p>Karyn: Through the tobacco program at the state, multiple communities. Youth do compliance checks, inspections. Around 600 stores total in the region. Also work on retail education. Figure of compliance checks assigned by state. Usually one or two.</p> <p>Cheryl: State is more about compliance than punishment.  Councilor Economou: Has CVS implemented their ban yet?</p> <p>Karyn: They haven't sold for a number of years in Worcester because of the ban on pharmacies in Worcester but they are currently rolling this initiative out.</p> <p>Councilor Economou: Has it affected their business?</p> <p>Cheryl: Initially profits went down, since then they have developed a different business plan including clinical work, and education.</p> <p>Karyn: Many iterations of the document, small piece of wording about fining missing. Just needs to be shifted.</p> <p>Sarai: Fine with fixing the mistake. Will correct according to the city solicitor's plan.</p> <p>Karyn: recommend including the Attorney General's new regulations within the city ordinance.</p> <p>Cheryl: Back in September of 2015 the Attorney General enacted a regulation relative to e-cigarettes, age restricting the product, ban sampling of the products in the stores, and as of March of 2016 the e-juices and nicotine liquids must have child proof packaging. Municipalities must include this in their regulations in order to enforce.</p> <p>Councilor Economou: How many other municipalities have included this in their regulations?</p>
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<p>4. Tobacco Policy Items for Discussion:</p> <p>A. Sanitation Regulations</p> <p>1. Hookah bar sanitation regulations</p>	<p>Cheryl: All the municipalities that have enacted new regulations since that time except Worcester. AG is looking for help in enforcing.</p> <p>Councilor Rivera: What do we need to do adopt this?</p> <p>Cheryl: Very simple to adopt, would just need to cite Mass General Law.</p> <p>Councilor Economou: How has it affected businesses?</p> <p>Cheryl: Anecdotally, the age restriction has had no effect. The sampling is affected by the child proof packaging, not sure how profitable it would be for businesses to make a small vial that is child proof.</p> <p>Councilor Economou: Does that put us in a bind as far as permitting?</p> <p>John: These places are a retail establishment, and the smoke-free workplace law applies.</p> <p>Karyn: We have an exorbitant amount of hookah bars, which are also smoking bars. To be a smoking bar, 51% of the revenue must be from tobacco. The state will issue the permit if they approve of the business plan. Then they need a city permit. Because some of these spaces are leased, we make sure that the landlords are informed of the potential use of the space. We also conduct a joint inspection with health, fire and code. Usually tell people to wait to proceed until inspection is done because some of the systems can be costly. If everything checks out, the establishment is issued a city permit. However there are no existing sanitation regulations. Research has shown that communicable diseases can be spread through sharing hookah. We want to make sure that the public is also aware of the potential health effects, for example one hour of hookah is approximately equivalent to smoking about 100 cigarettes. Many college students attend these venues. We would like to do an intensive campaign around that. We would also like to require them to have disposal mouth pieces and be cleaned and stored properly.</p> <p>Councilor Rivera: Have had some conversations with young people and most have no idea the health effects, many misconceptions. Really believe that we need an educational campaign.</p> <p>Councilor Mero-Carlson: Many of us don't know about all the products that are out there. Education is really crucial.</p> <p>Abbie: How have other communities dealt with hookah bars? Have they outlawed them? This has been a discussion since the first hookah bar came to Worcester 6 or 7 years ago.</p> <p>Cheryl: Many communities have banned smoking bars, which stops both hookah and cigar bars from opening. Boston, they have done this, but grandfathered in current businesses for 10 years.</p> <p>David: Have you ever encountered anyone who wanted to open a hookah bar for religious reasons?</p>
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<ol style="list-style-type: none"> <li>3. No permit renewal with three illegal sales to minors</li> <li>4. No tobacco product sales to new retailers within 500 feet of school</li> <li>5. Limit flavored “other tobacco products” including e-cigarettes to adult only establishments</li> </ol>	<p>Karyn: No renewal of permit with outstanding fines a possibility. Also no new permits to establishments within 500ft of a school. HOPE coalition has done mapping on this in the past. Restricting flavored products to adult only shops, places like the Owl Shop.</p> <p>Cheryl: There is a lot of prior work around this, specifically around flavored cigarettes.</p>
<p>C. Environmental Tobacco Smoke</p> <ol style="list-style-type: none"> <li>1. Ban smoking in retail tobacco stores</li> <li>2. Ban smoking in membership associations</li> <li>3. Ban smoking in nursing homes</li> <li>4. Ban smoking in hotels, motels and B&amp;B Rooms</li> <li>5. Ban smoking in outdoor restaurant / bar locations</li> </ol>	<p>Karyn: Other regulations for consideration are around reducing Environmental Tobacco Smoke, these policies would ban smoking in private association clubs, nursing homes, hotels, motels and bed and breakfasts, and outdoor eating areas at restaurants.</p> <p>Also retail tobacco permits: Double the length of suspensions, ban smoking in retail tobacco stores.</p> <p>Suspension or revocation of permit with sale of synthetic marijuana. Would want them to come in front of the board.</p> <p>Capping the number of stores. Attempt to make the permit more valuable and make it less available to youth. The municipalities that are the most concerned with it have a high density of retailers.</p> <p>Karyn: Any other municipality that caps by type of establishment?</p> <p>Cheryl: No.</p>
<p>D. Retail Tobacco Sales and Permits</p> <ol style="list-style-type: none"> <li>1. Maintain or double length of permit suspensions</li> <li>2. Ban smoking in retail tobacco stores (tobacconists and smoke shops)</li> <li>3. Synthetic marijuana products and permit suspension or revocation</li> <li>4. Limit the total</li> </ol>	<p>Councilor Mero-Carlson: What does this do to the Owl Shop and the cigar bar?</p> <p>Karyn: The Owl Shop does not allow people to smoke in the establishment, if they decided to let them at some point, they would be unable to. Would not affect the cigar bar.</p> <p>David Fort: When it comes to banning, what’s the current process to educate these establishments?</p> <p>Karyn: Would do the same thing that just happened with the newly adopted ordinance, which is sending out a notification with the new regulations, send out staff to do retailer education as well as being more lenient on fining when first implementing.</p> <p>David Fort: How do you enforce the no smoking portion?</p> <p>Karyn: It is difficult and challenging – we receive tips and reporting that come in, but by the time we investigate the smoking is not occurring.</p>

<p>number of tobacco product sales permits to be issued</p> <p>5. Adjourn</p>	<p>Abbie: Seems out of date that we allow smoking in nursing homes, exposes staff and other residents.</p> <p>Karyn: State law prohibits it, however substance abuse treatment facilities and nursing homes can ask for an exemption from the BOH. Fire department does inspections on a quarterly basis and will find violations a lot of the time. Received some complaints from staff at these establishments.</p> <p>Councilor Rivera: All Worcester Housing has become smoke-free. But difficult decision because how much is it invading someone's privacy.</p> <p>Would like to work together to move this initiative forward, but still need additional information to make some of the decisions.</p> <p>(More viewing of the products)</p>
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