



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 7/14/2020

File #: 20-323, **Version:** 1

SUBJECT: GENERAL BUSINESS

An Ordinance of the Board of Trustees of the Town of Erie Amending the Erie Municipal Code Regarding Possession and Consumption of Tobacco Products and Nicotine Products by Persons Under the Age of 21 Years

DEPARTMENT: Police Department

PRESENTER: Kim Stewart, Chief of Police

TIME ESTIMATE: 15 minutes

FISCAL SUMMARY: N/A

Cost as Recommended:

Balance Available:

Budget Line Item Number:

New Appropriation Required:

STAFF RECOMMENDATION:

Staff recommends approving the proposed ordinance.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

In September 2019, Mayor Carroll and the Board of Trustees, raised questions regarding HB 19-1033 (reference Agenda Item [19-443 <https://erie.legistar.com/LegislationDetail.aspx?ID=4130185&GUID=B035275E-A54A-47D3-8531-678961C16BBA>](https://erie.legistar.com/LegislationDetail.aspx?ID=4130185&GUID=B035275E-A54A-47D3-8531-678961C16BBA)), which allows municipalities to enact ordinances regarding the sale of tobacco and nicotine products to persons under the age of 21. The Board asked the Town Attorney to prepare an amendment to the Erie Municipal Code consistent with this new law.

Adopting the proposed ordinance would amend section 6-10-8 and make it unlawful for any person under the age of 21 to purchase or possess any cigarettes or tobacco products in the Town. Adopting the proposed ordinance would also make it illegal for any person to knowingly furnish any person under the age of 21 with any nicotine or tobacco products.

This change will apply to all establishments in Erie that sell nicotine and/or tobacco products. Staff believes this is currently 9 to 12 businesses, including Walgreens, 2 grocery stores, 3 convenient stores, and 3 liquor stores. The Colorado Department of Revenue Enforcement Division conducts compliance checks on such sales and the Erie Police Department assists upon request. Staff does not anticipate this will create additional workload.

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Board Priority Addressed:

Safe and Healthy Community

ATTACHMENTS:

1. Ordinance