



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/3/2014)

## Board Clerk Use Only

Meeting Date: 12/10/15  
Agenda Item #: R.3  
Est. Start Time: 9:50 am approx  
Date Submitted: 12/2/15

Agenda RESOLUTION Forming the Tobacco Retail Licensing Administrative  
Title: Rulemaking Committee and Appointment of Members

*Note: Title should not be more than 2 lines but be sufficient to describe the action requested.*

Requested Meeting Date: December 10, 2015 Time Needed: 10 minutes  
Department: Health Department Division: Community Health Services  
Contact(s): Rachael Banks  
Phone: 503-988-3387 Ext. 87778 I/O Address: 322-1-HBI  
Presenter Name(s) & Title(s): Dr. Jae Douglas, Environmental Health Director and Rachael Banks, Director, Healthy Birth Initiatives/Health Families of Multnomah County - Health Department

## General Information

### 1. What action are you requesting from the Board?

Formation of the Tobacco Retail Licensing Administrative Rulemaking Committee and appointment of members by Resolution.

### 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

On November 12<sup>th</sup>, 2015, the Multnomah County Board of Commissioners passed Tobacco Retail Licensing Ordinance 1225 to help reduce youth access to tobacco and nicotine products. The ordinance includes:

- Requiring a tobacco retail license with fees for every tobacco retailer location.
- Includes inhalant delivery systems (vaping products) containing or delivering nicotine.
- Provides that violation of any tobacco control law is a violation of tobacco retail licensing and may lead to civil penalties.
- Requires a Rulemaking Committee to adopt rules that will be administered by the Multnomah County Health Department.

The ordinance states the Board will appoint by Resolution a Tobacco Retail Licensing (TRL) Administrative Rulemaking Committee to adopt administrative rules that include but are not limited to:

- License application and issuance process
- Licensing inspection
- Licensing enforcement, including a notice of violation process
- Data collection
- Educational Information

**3. Explain the fiscal impact (current year and ongoing).**

After initial start-up, Tobacco Retail Licensing will be self-supporting with the license fee calculated to offset program costs.

**4. Explain any legal and/or policy issues involved.**

The Tobacco Retail Licensing Administrative Rulemaking Committee will adopt rules in accordance with the ordinance. The Committee will be comprised of stakeholders, public health experts, and County staff to sufficiently represent community interests.

**5. Explain any citizen and/or other government participation that has or will take place.**

Multiple opportunities for government participation took place in the passing of the ordinance including several public hearings, invited testimony, on-line surveys and written testimony.

Stakeholders and interested parties were able to indicate their interest to participate on the Administrative Rulemaking Committee through an application process and by contacting County staff.

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**Required Signature**

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**Elected Official  
or Department/**

**Agency Director:** Joanne Fuller /s/ **Date:** 12/2/15

*Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved."*