





TO: Mayor and Town Council

February 4, 2020

SUBJECT: Ordinance No. 2020-01, amending Section 7-6 of the Danville Municipal

Code regulating tobacco retailing, advertising and promotion, and banning

the sale of flavored tobacco products and electronic smoking devices

BACKGROUND

Over the years, the Town Council has taken several steps aimed at minimizing the availability of tobacco and vaping products to minors. These include Ordinance No. 99-06, which established a requirement for tobacco retailers to obtain a license from the Town, established regulations for advertising tobacco products, and prohibited certain forms of tobacco advertising in proximity to schools and parks. In 2018, the Council adopted an emergency moratorium, and subsequently a permanent zoning amendment prohibiting any new tobacco retailers within 1,000 feet of a school, park or library. The ordinance also prohibits hookah and vapor lounges anywhere in Danville.

At the time the zoning ordinance was adopted, the Council expressed a desire to consider further legislation to address vaping and flavored tobacco/vaping materials. Those topics are addressed in the proposed Ordinance.

DISCUSSION

While the use of e-cigarettes or vaping has been rapidly increasing over the past decade, their use has become a serious public health issue in the United States in the past few years. As of November 2019, over 2,000 vaping related injuries had been reported to the Centers for Disease Control (CDC), including 39 deaths. The California Department of Public Health, the CDC and the FDA have all released health alerts about the risks involved in vaping.

The growth of e-cigarettes has been particularly explosive in minors. The Contra Costa County Health Department reports that use among minors has increased 135% in the past two years in spite of the fact that it is illegal to sell to anyone under the age of 18. A survey by the National Youth Tobacco Survey showed that 1 in 20 middle schoolers and 1 in 4 high schoolers nationwide are vaping. A 2016 survey in Contra Costa County showed that 1 in 3 11th graders have vaped. Among youths who vape, a study by the National Institute of Health found that 4 out of 5 use flavored nicotine products.

At the federal level, there has been an ongoing process at the FDA to determine appropriate regulations for the e-cigarette/vaping devices themselves. Some of this is tied to the requirement that the FDA preapprove any tobacco product that was not on the market as of February 15, 2017. The vast majority of e-cigarettes and vaping devices do not yet have this preapproval and it is unclear when that process will move forward.

More recently, the government has taken action on two additional issues:

- It has proposed new regulations (scheduled to go into effect in February 2020 that would ban fruit and mint-flavored vaping products sold in cartridges. The proposed regulations would not apply to menthol or tobacco flavored products and would not apply to so-called "tank systems," in which the user mixes their own vaping juice and nicotine.
- In December 2019, the FDA raised the minimum age to purchase tobacco products, including e-cigarettes and vaping materials, from 18 to 21. California has had a minimum age of 21 since 2016.

At the state level, SB 973 (with Senator Glazer as a sponsor and Assemblymember Bauer-Kahan as a principal co-author) has been introduced. This bill would ban the sale of all flavored tobacco products, including menthol. A similar bill was introduced last year but was not enacted.

What are other local agencies doing?

Given the lack of action at the state level and mixed messages at the federal level, a number of local jurisdictions have adopted ordinances addressing the sale of e-cigarettes and vaping materials. There are two primary versions of these ordinances:

- All recent ordinances contain a ban on all flavored tobacco/vaping products, which
 goes beyond what the FDA is proposing. Contra Costa County also banned the sale
 of menthol cigarettes.
- Some jurisdictions have added a second element which is to ban the sale of ecigarettes and vaping fluids. This has not been universally adopted and has been somewhat more controversial. As an example, the City of Livermore's ordinance containing such a ban was the subject of a successful referendum petition, sponsored by JUUL. That petition was ultimately withdrawn and the ordinance has gone into effect.

Regardless of which options are selected, another issue is the effective date of the ordinance. While most cities have gone with the standard 30 day effective date after adoption, the City of Dublin, which adopted their ordinance in January, gave local retailers until July 1, 2020 to comply, presumably in an effort to allow retailers to address their existing inventories. The Town did something similar when the plastic bag ban was adopted and language could be easily added to the draft ordinance should the Council so desire.

The draft Ordinance

The draft ordinance amends Chapter 7-6 of the Danville Municipal Code (see Attachment B). This is the ordinance first adopted in 1999 (as referenced in the Background section of this report) and has not been updated to be consistent with the zoning text amendment adopted in 2018. The draft ordinance would make the following changes:

- Update the definitions to match those found in the Town's zoning ordinance as well as adding new terms needed to address flavored tobacco products and e-cigarettes.
- Section 7-6.4 is amended to replace the word "minor" with "any person under the age of 21" to reflect the 2016 change in state law raising the age from 18 to 21.
- Section 7-6.14 is amended to correct a typo.
- Sections 7-6.17 and 7-6.18 are added to ban the sale of flavored tobacco products and e-cigarettes and e-liquids.

PUBLIC CONTACT

Notice of this hearing was published in a newspaper of general circulation. Notices were mailed to all licensed tobacco retailers in the Town (see Attachment C). Patty Hoyt of the Discovery Counseling Center was provided with a copy of the staff report and draft ordinance. Posting of the meeting agenda serves as notice to the general public.

FISCAL IMPACT

None.

RECOMMENDATION

Introduce and read by title only Ordinance No. 2020-01, amending Section 7-6 of the Danville Municipal Code regulating tobacco retailing, advertising and promotion and banning the sale of flavored tobacco products and electronic smoking devices and return for second reading on February 18, 2020.

Prepared by:

Robert B. Ewing City Attorney

Rober B. Cox

Attachments: A-Ordinance No. 2020-01

B-DMC Section 7-6 (existing) C-List of existing tobacco retailers

ORDINANCE NO. 2020-01

AMENDING SECTION 7-6 OF THE DANVILLE MUNICIPAL CODE REGULATING TOBACCO RETAILING, ADVERTISING AND PROMOTION, AND BANNING THE SALE OF FLAVORED TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES

The Danville Town Council does ordain as follows:

SECTION 1. FINDINGS.

In enacting this ordinance, the Town Council makes the following findings:

WHEREAS, nationwide, electronic cigarette use has increased at alarming rates since the first products became available about 10 years ago, and while there have been many successful efforts to reduce underage tobacco use, the growing availability of e-cigarettes has reversed those positive trends; and

WHEREAS, electronic smoking devices often mimic conventional tobacco products in shape, size, and color, with the user exhaling a smoke-like vapor similar in appearance to the exhaled smoke from cigarettes and other conventional tobacco products; and

WHEREAS, the federal Family Smoking Prevention and Tobacco Control Act (the "Tobacco Control Act"), enacted in 2009, prohibited candy and fruit-flavored cigarettes, largely because these flavored products were marketed to youth and young adults, and younger smokers were more likely to have tried these products than older smokers; and

WHEREAS, although the manufacture and distribution of flavored cigarettes (excluding menthol) is banned by federal law, neither federal nor California laws restrict sales of flavored non-cigarette tobacco products, such as electronic smoking devices and the nicotine solutions used in these devices; and

WHEREAS, flavored non-cigarette tobacco products have become increasingly common and are available in a variety of flavors that appeal to children and young adults, including apple, cherry, chocolate, grape, peach, strawberry, and vanilla; and

WHEREAS, the U.S. Surgeon General has stated that flavored tobacco products are considered to be "starter" products that help establish smoking habits that can lead to long-term addiction; and

WHEREAS, a central requirement of the Tobacco Control Act is premarket review of all new tobacco products not on the market in the United States as of February 15, 2007 — must be authorized by the FDA for sale in the United States before it may enter the

marketplace. A new tobacco product may not be marketed until the FDA has found that the product is: (1) appropriate for the protection of the public health upon review of a premarket tobacco application; (2) substantially equivalent to a grandfathered product; or (3) exempt from substantial equivalence requirements; and

WHEREAS, the FDA's premarket review process is intended to determine if a tobacco product is appropriate for the protection of the public health "with respect to the risks and benefits to the population as a whole, including users and non-users of the tobacco product, and taking into account: (A) the increased or decreased likelihood that existing users of tobacco products will stop using such products; and (B) the increased or decreased likelihood that those who do not use tobacco products will start using such products"; and

WHEREAS, virtually all electronics cigarettes that are sold today are considered "new tobacco products" under the Tobacco Control Act, but have not obtained a premarket review order and the FDA has not taken action to enforce this requirement; and

WHEREAS, in 2017, the FDA issued Guidance that gives electronic cigarette manufacturers until August 8, 2022 to submit their application for premarket review. The Guidance further allows unapproved products to stay on the market indefinitely, until such time as the FDA complies with its statutory duty to conduct a premarket review to determine whether a new tobacco product poses a risk to public health. In March 2019, the FDA issued draft guidance in which it considered moving the premarket application deadline up by one year for certain flavored e-cigarettes products. It is not known when, if ever, this narrow adjustment will become final or will take effect; and

WHEREAS, the California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the health, safety, welfare, and morals of their citizens; and

WHEREAS, the FDA and federal law also expressly grants state and local governments the right to enact measures that are more restrictive than those in the federal law; and

WHEREAS, the Town of Danville has a substantial interest in promoting compliance with federal, state, and local laws prohibiting the sale or furnishing of tobacco products and electronic cigarette products to minors and in discouraging the illegal purchase of tobacco and electronic cigarette products by minors.

SECTION 2. AMENDING SECTION 7-6 OF THE DANVILLE MUNICIPAL CODE.

Section 7-6 of the Danville Municipal Code is hereby amended by adding the following subsections to read as follows:

SECTION 7-6 TOBACCO RETAILING, ADVERTISING, PROMOTION AND LICENSING

7-6.1 Definitions.

The following words and phrases, whenever used in this Section 7-6, shall be construed as defined herein:

Advertising display sign means any sign, billboard, signboard, poster, placard, pennant, banner, graphic display, mural, or similar device that is used to advertise or promote a product.

Characterizing flavor means a distinguishable taste or aroma imparted by a tobacco product or any byproduct produced by the tobacco product that is perceivable by an ordinary consumer by either the sense of taste or smell, other than the taste or aroma of tobacco. A "characterizing flavor" includes, but is not limited to, a taste or aroma relating to a fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice.

Electronic smoking device shall mean an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances. An "electronic smoking device" includes a device that is manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, a vape pen, or a vapor pen.

E-liquid means any substance that is intended to be consumed in aerosolized or vaporized form using an electronic smoking device, regardless of the nicotine content of the substance.

Flavored tobacco product means any tobacco product, other than cigarettes as defined by federal law, that contains a constituent that imparts a characterizing flavor. A tobacco product whose labeling or packaging contains text or an image indicating that the product imparts a characterizing flavor is presumed to be a flavored tobacco product.

Mobile billboard means any sign, billboard, signboard, poster, placard or other advertising display upon or affixed to a vehicle which display is used to advertise a product illegal to sell to minors, when the supporting vehicle or trailer is parked within a public right-of-way or on private property and visible to the public for a duration of time and in a

manner which clearly indicated that the sign is for advertising products illegal to sell to minors or which carry a specific brand name, logo, or indicia of a product illegal to sell to minors. For the purpose of this section, a mobile billboard shall not include any advertisements on the side of a van, truck, or other vehicle which is primarily used for the transportation of goods or products.

Person means any individual, firm, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or other legal entity.

Promote or *promotion* means a display of any logo, brand name, character, graphic, artwork, colors, scenes, or designs that are a recognized image of a particular product brand of tobacco that calls the public's attention to the product brand.

Publicly visible location means any outdoor location that is visible from any street, sidewalk, or other public thoroughfare, or any location inside a commercial establishment that is in or immediately adjacent to a window or doorway and is visible from any street, sidewalk, or other public thoroughfare.

Smoking paraphernalia shall mean cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the consumption or preparation of tobacco or cannabis products; electronic smoking devices and items specifically designed for the preparation, charging, or use of electronic smoking devices including cartridges, cartomizers, e-liquid, smoke juice, tips, atomizers, electronic smoking device batteries, electronic smoking device chargers, and any other electronic smoking device paraphernalia.

Tobacco product means any of the following:

- i. Any product containing, made from, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff.
 - ii. Any Electronic smoking device.
- iii. Any component, part, or accessory of a tobacco product, whether or not it is sold separately.
- iv. "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for that approved purpose.

Tobacco retailer means any person or entity that sells tobacco, tobacco products, electronic smoking devices, smoking paraphernalia, or any combination thereof, including retail or wholesale sales. "Tobacco retailing" shall mean the doing of any of these things. This

definition is without regard to the quantity of tobacco, tobacco products or smoking paraphernalia sold, offered for sale, exchanged, or offered for exchange.

Town Manager means the Town Manager for the Town of Danville or his or her designee.

7-6.4 Distribution or Sale of Tobacco-Related Promotional Items to person under 21.

No person may market, license, distribute, sell or cause to be marketed licensed, distributed or sold any item or service to any person under the age of 21, which bears the brand name, alone or in conjunction with, any other word, logo, symbol, motto, selling message, recognizable color or pattern of colors, or any other indicia or product identification identical with, or similar to, or identifiable with, those used for any brand of tobacco product.

7-6.14 Violations.

- (a) Any person violating any provision of this Section 7-6 shall be guilty of an infraction and shall be subject to penalties as set by state law.
- (b) Violations of this Section 7-6 shall be deemed a public nuisance.

7-6.17 Sale of Flavored Tobacco Products Prohibited.

- (a) It shall be a violation of this chapter for any tobacco retailer or any of the tobacco retailer's agents or employees to sell, offer for sale, or to possess with intent to sell or offer for sale, any flavored tobacco product.
- (b) There shall be a rebuttable presumption that a tobacco retailer in possession of four or more flavored tobacco products, including but not limited to individual flavored tobacco products, packages of flavored tobacco products, or any combination thereof, possesses such flavored tobacco products with intent to sell or offer for sale.
- (c) There shall be a rebuttable presumption that a tobacco product is a flavored tobacco product if a tobacco retailer, manufacturer, or any employee or agent of a tobacco retailer or manufacturer has:
 - (1) made a public statement or claim that the tobacco product imparts a Characterizing Flavor;
 - (2) used text and/or images on the Tobacco Product's Labeling or Packaging to explicitly or implicitly indicate that the Tobacco Product imparts a Characterizing Flavor; or
 - (3) taken action directed to Consumers that would be reasonably expected to cause Consumers to believe the Tobacco Product imparts a Characterizing Flavor.

7-6.18 Sale of Electronic Smoking Devices and E-liquids Prohibited.

No tobacco retailer may sell, offer for sale, or exchange or offer to exchange for any form of consideration, to a consumer any electronic smoking device or e-liquid where the electronic smoking device or e-liquid:

- (a) Is a new tobacco product as defined in Section 387j(a)(1) of Title 21 of the U.S. Code;
- (b) Requires premarket review under Section 387j of Title 21 of the U.S. Code; and
- (c) Does not have a premarket review order issued under Section 387j(c)(1)(A)(i) of Title 21 of the U.S. Code.

SECTION 3. CODIFICATION. Section 2 of this ordinance shall be codified in the Danville Municipal Code.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT. The Town Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") because its provisions will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15060(c)(2)), and it can be seen with certainty that there is no possibility that the ordinance will have a significant impact on the environment (CEQA Guidelines Section 15061(b)(3)).

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Danville Town Council hereby declares that they would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases was declared invalid.

SECTION 5. PUBLICATION AND EFFECTIVE DATE. The City Clerk shall have a summary of this ordinance published twice in a newspaper of general circulation, once within five (5) days before its adoption and once within 15 (fifteen) days after adoption. This ordinance shall become effective 30 days after adoption.

The foregoing Ordinance was introduced by the Danville Town Council on February	ed on February 4, 2020 and approved and adopted uary 18, 2020, by the following vote:
AYES: NOES: ABSTAINED: ABSENT:	
	MAYOR
APPROVED AS TO FORM: Robert B. Ewing	ATTEST:
CITY ATTORNEY	CITY CLERK
CLERE	C'S CERTIFICATE
•	on of Danville, hereby certify that the foregoing is No. 2020-01 of said Town and that said ordinance
Dated:	
	City Clerk of the
	Town of Danville

7-6 TOBACCO ADVERTISING, PROMOTION AND LICENSING.

7-6.1 Definitions.

The following words and phrases, whenever used in this Section 7-6, shall be construed as defined herein:

Advertising display sign means any sign, billboard, signboard, poster, placard, pennant, banner, graphic display, mural, or similar device that is used to advertise or promote a product.

Mobile billboard means any sign, billboard, signboard, poster, placard or other advertising display upon or affixed to a vehicle which display is used to advertise a product illegal to sell to minors, when the supporting vehicle or trailer is parked within a public right-of-way or on private property and visible to the public for a duration of time and in a manner which clearly indicted that the sign is for advertising products illegal to sell to minors or which carry a specific brand name, logo, or indicia of a product illegal to sell to minors. For the purpose of this section, a mobile billboard shall not include any advertisements on the side of a van, truck, or other vehicle which is primarily used for the transportation of goods or products.

Person means any individual, firm, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or other legal entity.

Promote or *promotion* means a display of any logo, brand name, character, graphic, artwork, colors, scenes, or designs that are a recognized image of a particular product brand of tobacco that calls the public's attention to the product brand.

Publicly visible location means any outdoor location that is visible from any street, sidewalk, or other public thoroughfare, or any location inside a commercial establishment that is in or immediately adjacent to a window or doorway and is visible from any street, sidewalk, or other public thoroughfare.

Tobacco product means any substance containing any tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, and smokeless tobacco.

Tobacco retailer means any person who sells, offers for sale, or exchanges or offer to exchange for any form of consideration, tobacco products. Tobacco retailing means the doing of any of these things.

Town Manager means the Town Manager for the Town of Danville or his or her designee.

(Ord. 99-6, §3)

7-6.2 Restriction on Advertising of Tobacco Products.

No person shall place or maintain, or cause or allow to be placed or maintained, in any manner, any advertising or promotion of any tobacco products on an advertising display sign in a publicly visible location within one thousand six hundred (1,600) feet of the perimeter of an elementary or secondary school, public park or public playground. (Ord. 99-6, §3)

7-6.3 Exceptions.

The restrictions contained in subsection <u>7-6.2</u> shall not apply to advertising or promotions for tobacco products:

- a. Located inside a commercial establishment, unless such advertising display sign or promotion is attached to, affixed to, leaning against, or otherwise in contact with any window or door in such a manner that it is visible from a street, sidewalk or other public thoroughfare;
 - b. On vehicles, other than mobile billboards;
- c. On any sign located inside or immediately outside a commercial establishment if the sign provides notice that the establishment sells tobacco products, so long as the sign does not promote any brand of tobacco product;
 - d. On tobacco product packaging.

(Ord. 99-6, §3)

7-6.4 Distribution or Sale of Tobacco-Related Promotional Items to Minors.

No person may market, license, distribute, sell or cause to be marketed licensed, distributed or sold any item or service to a minor, which bears the brand name, alone or in conjunction with, any other word, logo, symbol, motto, selling message, recognizable color or pattern of colors, or any other indicia or product identification identical with, or similar to, or identifiable with, those used for any brand of tobacco product. (Ord. 99-6, §3)

7-6.5 Self-service Displays Prohibited.

It is unlawful for any person to sell, permit to be sold, offer for sale, or display for sale, any tobacco product by means of self-service display, rack, counter top or shelf that allows self-service sales for any tobacco product other than vendor-assisted sales. (Ord. 99-6, §3)

7-6.6 Vendor Assistance Required.

All tobacco products shall be offered for sale exclusively by means of vendor assistance, with tobacco products kept in a locked case or in an area not accessible to the public, and requiring employee assistance to retrieve the tobacco products. (Ord. 99-6, §3)

7-6.7 Tobacco Retailer License.

It is unlawful for any person to sell or offer for sale any tobacco product without first obtaining and maintaining a valid tobacco retailer license for each location where such sales are conducted. This license shall be renewed annually. (Ord. 99-6, §3)

7-6.8 License Application Procedure.

A person who is required to obtain a tobacco retailer license pursuant to this Section <u>7-6</u> shall submit an application in the name of the person and shall be signed by the person with authority to act on behalf of the applicant. All applications shall be submitted on a form supplied by the Town and shall contain the following information:

- a. The name, address and telephone number of the business owner and manager;
- b. The business name, address and telephone number of each establishment where tobacco products are to be sold;

c. Such other information as the Town Manager determines is necessary to accomplish the purposes of this chapter.

(Ord. 99-6, §3)

7-6.9 Issuance and Display of License.

Upon receipt of a completed application for a tobacco retailer license, including payment of the license fee, and the completion of an inspection of the premises, if deemed necessary by the Town Manager, to determine compliance with this Section 7-6, the Town Manager shall issue a license. Each licensee shall prominently display the license at the location where tobacco product sales are conducted. (Ord. 99-6, §3)

7-6.10 License Fee.

The fee for a tobacco retailer license shall be set by the Town Council as part of the Town's master fee schedule. The amount of any such fee shall be limited to the Town's costs for processing the application, inspecting the tobacco retailer business premises to determine compliance with the standards contained in this Section 7-6 and implementing the licensing program. (Ord. 99-6, §3)

📮 7-6.11 License Not Transferable.

A tobacco retailer license is not transferable. If there is a change in location, a new tobacco retailer license shall be issued for the new address upon receipt of an application for a change of location. The new license shall retain the same expiration date as the previous license. (Ord. 99-6, §3)

7-6.12 Suspension of License.

- a. A tobacco retailer license may be suspended by the Town Manager upon a finding, after notice and hearing, that a violation of this Section <u>7-6</u>, or any other applicable State or Federal law governing the sale and distribution of tobacco, has occurred at the licensee's business premises.
- b. The Town Manager may suspend the licensee's license to sell tobacco products for up to sixty (60) days following the first finding of a violation. In the event of a finding of a second violation within twelve (12) months of the first violation, the Town Manager may suspend the license for up to one hundred twenty (120) days. In the event of a finding of a third violation within twelve (12) months of the first violation, the Town Manager may suspend the license for up to one (1) year.
- c. Any finding of violation and suspension of a license by the Town Manager may be appealed to the Town Council. Such appeal must be filed in writing within ten (10) days of receipt of the Town Manager's decision and must be accompanied by the applicable appeal fee established by the Town Council in the Town's master fee schedule.

(Ord. 99-6, §3)

7-6.13 Administration and Implementation.

Except as otherwise provided, this Section <u>7-6</u> shall be administered by the Town Manager, who may develop administrative guidelines and procedures to implement the provisions of this section. (Ord. 99-6, §3)

7-6.14 Violations.

- a. Any person violating any provision of this Section 7-9 shall be guilty of an infraction and shall be subject to penalties as set by state law.
 - b. Violations of this Section 7-6 shall be deemed a public nuisance.

(Ord. 99-6, §3)

7-6.15 Intent as to Additional Legal Restrictions and Remedies.

Nothing in this Section <u>7-6</u> is intended to alter the obligations or restrictions which apply to any person under any other law governing signs, tobacco advertising or any other matter covered by this Section <u>7-6</u>. The remedies set forth in this Section <u>7-6</u> are not exclusive. If any action prohibited by this Section <u>7-6</u> is also unlawful under any other law, the penalties and remedies under such other law may be pursued in addition to those provided in this section. (Ord. 99-6, §3)

7-6.16 Disclaimer.

The restrictions contained in this Section 7-6 with respect to the advertising, promotion and display of tobacco products are adopted by the Town of Danville to promote the general welfare of the Town's residents. The Town does not assume, nor is it imposing on its officers or employees, an obligation for which it may be liable in money damages to any person who claims that breach of those restrictions proximately caused injury. (Ord. 99-6, §3)

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091228705	RONEER ENTERPRISES INC.	DANVILLE ARCO	3500 CAMINO TASSAJARA	DANVILLE	CA	94506-4618
091229520	WALGREEN CO.	WALGREEN #2560	611 SAN RAMON VALLEY BLVD	DANVILLE	CA	94526-4013
091238765	SAFEWAY, INC.	SAFEWAY STORES INC.STORE 1211	3496 CAMINO TASSAJARA	DANVILLE	CA	
091240884	BEVERAGES & MORE, INC	BEVMO!	155 DIABLO RD	DANVILLE	CA	94506-4680
091257360	CHEVRON STATIONS INC	CHEVRON STATIONS INC # 1788	145 HARTZ AVE	DANVILLE		94526-3302
091260259	CHEVRON STATIONS INC	CHEVRON STATION #1552	8000 CROW CANYON RD	DANVILLE	CA	94526-3325
091287912	SAVE MART SUPERMARKETS	LUCKY #708	660 SAN RAMON VALLEY BLVD	DANVILLE	CA	94506-1145
091302816	CLUBCORP CROW CANYON MANAGEMENT	CROW CANYON COUNTRY CLUB	711 SILVER LAKE DR	DANVILLE	CA	94526-4022
091306550	THE CIGAR STORE, INC.	THE CIGAR STORE	60 CHARDONNAY CT	DANVILLE	CA	94526-6241
091314664	DANVILLE CIGAR, FINE WINE AND GIFTS, L	DANVILLE CIGAR FINE WINE & GIFTS	445 HARTZ AVE	DANVILLE	CA	94506-6160
091327076	REZA INC.	DANVILLE SHELL	811 CAMINO RAMON	DANVILLE	CA	94526-3803
091333223	MD ROESBERY, INC.	MD ROESBERY	400 DIABLO RD	1		94526-4253
091351291	RADC ENTERPRISES, INC	DANVILLE SHELL	7777 CROW CANYON RD	DANVILLE	CA	94526-3503
091360214	SANDHU LLC	VILLAGE WINE & LIQURE		DANVILLE	CA	94506-1168
091370701	EMERALD PETROLEUM, INC	DANVILLE VALERO	9000 CROW CANYON RD STE F	DANVILLE	CA	94506-1175
208967936	DANVILLE 76		736 SAN RAMON VALLEY BLVD	DANVILLE	CA	94526-4526
200307330	DAINVILLE 10	DANVILLE 76	744 SAN RAMON VALLEY BLVD	DANVILLE	CA	94526-4023

^{*}Note: This report does not include licenses issued to individuals (sole proprietors, married co-owners, and domestic partners). Civil Code Section 1798.69(a) prohibits

the CDTFA from releasing the names and addresses of individuals, except to the extent necessary to verify resale certificates, administer the tax and fee provisions of the

Revenue and Taxation Code, or as provided in Civil Code Section 1798.69(b).