Exhibit 005 MC15-07

Smoke Shop Near Schools Prompts Rocklin To Enact CALF ROCKUN Temporary Ban

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ROCKLIN (CBS13) — There's an uproar in the city of Rocklin over a proposed smoke shop near not one, but four schools.

The City Council approved a temporary ban on smoke shops near schools on Tuesday night.

So many parents I have complained about the proposed shop, the city is considering putting at least a temporary stop to it.

The idea of the Three Monkeys moving Into a vacant Rocklin storefront is unpopular with parents like Stephanie Mills because of what's close by.

"I really don't like the idea. I mean, I have two small kids and there's a lot of schools—literally walking distance, there's four schools," she said.

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The shop would be 800 feet from Breen Elementary, Rocklin High and Victory Continuing Education, and about 2,100 feet from Granite Oaks Middle School.

"It's no different than a liquor store, something strange like that, that just opens up right next to your school you're just not gonna be okay with it," said <u>parent</u> ☑Jeanette Anderson.

And in part, because so many parents aren't OK with it, Rocklin's city manager drew up an ordinance calling for a 45-day moratorium that would ban any tobacco shop from opening near schools. The report concludes the shop could present a "clear and present danger to the immediate preservation of public health, safety , and welfare of our community."

Anthony Hirani, the man behind Three Monkeys, says he already has a few locations in the Sacramento Valley. His Rocklin shop would be different, with only tobacco, e-cigarettes and cigars would be sold to people 18 and over.

"I just want my right to do business like everyone else. I am going by the law," he said. "The store sells tobacco. Arco, Walgreens, everybody sells tobacco and cigarettes. That's what I am selling. They don't sell premium cigars but I have the license to sell cigars. Everything is legal."

But it seems, there's no selling parents like Amanda Quarry on a smoke shop steps away from schools.

"None of this was here when I was in high school. My kids have a whole lot of options, and I don't want that to be one of them," she said.

Seal Beach council restricts new smoke, e-cigarette shops

March 11, 2014 Updated March 12, 2014 10:53 a.m.

BY KENDRA ABLAZA / STAFF WRITER

SEAL BEACH – New smoke shops, including places that sell electronic cigarettes, will only be able to operate in commercial zones under an ordinance approved Monday.

The City Council voted unanimously to update the city's zoning code and implement the restrictions.

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The ordinance, first introduced at the council's Feb. 24 meeting, was passed without further discussion as an item on the council's consent calendar Monday. It limits the shops to operating in commercial zones.

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The restriction follows the passage of an ordinance Feb. 10 that requires a conditional use permit for the establishment of any smoke shop, defined as a store whose primary use is selling e-cigarettes or tobacco products. That ordinance also limits how and to whom e-cigarettes can be sold at other stores and prohibits smoking lounges.



Councilman Michael Levitt, who represents the 5th district, which includes much of Leisure World, said after the meeting that the restrictions are meant to protect residents from secondhand smoke and appease businesses who don't want the smoke shops nearby.

"Typically, a commercial zone won't be too close to a residential neighborhood, a school or a playground," Levitt said. "Until the federal government comes down and says, 'An e-cigarette is not a tobacco product, and inhaling the vapor as

secondhand smoke is not harmful' ... we're going to go ahead on the basis that we've had."

The ordinance also adds the definition "smoke shop" to the city's zoning code, described as establishments involved in the sale, distribution or exchange of "electronic smoking devices, tobacco products, tobacco paraphernalia, or any combination thereof."

Advocates say e-cigarette devices vaporize liquid cartridges to provide a safer dose of nicotine than cigarettes and other methods of smoking. Officials in Sacramento and Washington, D.C., have not regulated selling or smoking e-cigarettes, so cities, including Long Beach and Los Angeles, have recently been writing their own rules.

Seal Beach was the first Orange County city to regulate e-cigarettes. The city placed a ban on e-cigarette sales in August, which was lifted in February after the council felt it had struck a balance between business interests and health concerns.

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