

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

**RE:** **ORDINANCE AMENDMENT** to the New Haven Code of Ordinances amending Chapter 17 by adding Article XIX to establish Tobacco and Smoking Retail License requirements; Updating licensing fees in Article XX. - Fees And Charges, as applicable to these retailers; and updating Chapter 16, Article VI regarding the prohibition of Tobacco, Smoking, Vapor, and Nicotine Products.

**Submitted by:** Alder Richard Furlow, Ward 27, Alder Eli Sabin, Ward 7, Alder Frank R. Redente, Ward 15

**REPORT:** 1662-05

**ADVICE:** Approval with recommendations

### BACKGROUND

The proposed ordinance is critical to advancing New Haven's public health policy by reducing youth exposure to tobacco, vaping, and nicotine products. These products have well-documented negative impacts on public health, particularly among children and youth, who are especially vulnerable to marketing tactics and peer influence. The ordinance aims to address these issues through measures that include:

- Prohibiting certain advertising and marketing of tobacco, smoking, vaping, and nicotine products near schools, parks, and areas frequented by youth.
- Raising the minimum legal sale age for these products to 21 would align with evidence-based findings that this policy significantly reduces youth access and initiation.
- Establishing a comprehensive retail licensing and enforcement system with penalties for violations. Prohibiting the use of tobacco, smoking, vaping, and nicotine products at all schools within New Haven.

According to the 2023 Connecticut School Health Survey, 11.5% of Connecticut high school students reported using tobacco or vaping products, with usage rising to 15.8% among 12th graders. Alarmingly, 92% of youth users favored flavored vaping devices. Additionally, 35% of high school students reported exposure to second-hand smoke or vapor. Research, including a 2015 report by the Institute of Medicine, underscores that raising the minimum sales age to 21 leads to substantial long-term declines in youth smoking rates.

By adopting these measures, the City of New Haven will not only protect its youth from harmful exposure to tobacco and nicotine products but also reduce the long-term health burden on the community. The residents of New Haven deserve a city that prioritizes their health and safety by taking proactive steps to prevent the use of harmful products and foster a healthier future for generations to come.

### PLANNING CONSIDERATIONS

This amendment to the New Haven Code of Ordinances is a core component to the overall regulatory framework developed by the Smoke Shop working group. It is a companion to the proposed smoke shop zoning regulations presented to this commission in December of 2024. This amendment would require

all retailers of tobacco and smoking products to obtain a “*tobacco and smoking products permit*” through the New Haven Health Department. The permit would allow the sale of such products, and require the permittee to renew their permit on a yearly basis. The ordinance sets guidelines for the proper sale of tobacco and smoking products. In addition, it establishes penalties for failure to comply with these guidelines, up to a \$1,000 fine and revocation of the permit.

The ordinance closely aligns with the goals of New Haven’s Comprehensive Plan. It furthers the community’s vision for a “sustainable, healthy, and vibrant city where public health and safety are prioritized in planning decisions” (I-13), supports “increased positive use of city parks to enhance public health and to encourage community cohesion (I-12)” and addresses a use that has been observed to be a nuisance and “deleterious to neighborhoods in general” (III-8).

Though staff are supportive of this proposal, certain elements of the drafted ordinances should be made consistent with one another. For example, the zoning ordinance describes the health department process as issuing a “tobacco retailers license” rather than a “tobacco and smoking products permit.” Additionally, the definitions section of the health ordinance includes an expansive definition of “Tobacco and smoking products,” which may cause confusion when interpreting the ordinances together. Staff intend to work with New Haven’s Corporation Counsel, Health Department, and other partners to make the necessary changes to the ordinance prior to second reading and voting by the full Board of Alders.

**ADVICE**

The Commission finds the proposed ordinance amendment to be in the best interest of the City and recommends approval with the additional recommendation that the drafted language be amended to ensure consistency between it and the proposed zoning ordinance amendment.

**ADOPTED:** February 19, 2025  
Leslie Radcliffe  
Chair

**ATTEST:** DocuSigned by: Laura E. Brown February 21, 2025 | 10:16 AM ES  
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Laura E Brown  
Executive Director, City Plan Department