

Cannabis Regulation of Tobacco Retailers Status Report

City Council Meeting

May 14, 2024

Item 4.1

Presenters:

Deputy Chief Brian Shab, SJPD

Rachel Roberts, Deputy Director, PBCE

Public Safety, Finance, and Strategic Support Committee Direction

- *Provide an update on the possibility of expanding the scope of the Division of Cannabis Regulation to include vape and smoke shops.*
- *Cross-referenced from the PSFSS Committee Meeting on April 18, 2024*

Resources

- Police Department
- Code Enforcement
- State of California
 - Department of Cannabis Control
 - Office of Youth Tobacco Enforcement

Current Regulation and Enforcement



- Code Enforcement
 - Proactive Enforcement
 - Registered cannabis business annual inspections
 - TRL businesses annual inspections
 - Youth decoy operations
 - Complaint Response
 - Illegal cannabis activity within purview- (unregistered cannabis businesses, odor, personal grows, etc.)
 - TRL businesses, vape and smoke shops, etc.

Police Department Enforcement



Potential Next Steps



- Explore Conditional Use Permit/other permit requirement
- Enhance TRL Enforcement
- Require TRLs Post Signage
- Cease and desist letter with annual renewal of TRL
- Continue to investigate complaints as resources and competing priorities allow (PD/Code Enforcement)
- Coordination with State

Staff Recommendation

- Accept the report on the possibility of expanding the San José Police Department Division of Cannabis Regulation's responsibilities to include regulating licensed tobacco retailers.