

## Get Healthy Philly: Zoning and Cigarette Licensing



The Philadelphia Department of Public Health (PDPH) recently launched the *Get Healthy Philly* initiative to increase healthy eating, active living, and smoke-free lifestyles through policy, systems, and environmental change. Of all of the tobacco retailers in Philadelphia who illegally sell to youth, nearly 4 in 10 are located within 500 feet of a school. Recent research indicates that the density or number of tobacco retailers near schools impacts youth initiation and smoking rates.

### The Challenge

- ❖ There are roughly 4,500 tobacco retailers in Philadelphia, translating into one tobacco retailer for every 360 residents or one for every 40 youth 10 to 17 years-of-age.<sup>1</sup> This ratio is much higher than in other major cities.
- ❖ Many of the City's tobacco retailers are located in close proximity to schools. Multiple studies reveal that the density or number of retailers near schools impacts youth initiation and smoking rates.<sup>2</sup>
- ❖ People who begin smoking as youth are very likely to become adult smokers.
- ❖ Zoning regulations vis-à-vis new tobacco retailers are necessary for the protection of the public health, safety, and welfare.

### Plan of Action

- ❖ Philadelphia is considering zoning restrictions to limit the establishment of new tobacco retailers in the City, based on geocoded maps of where schools and tobacco retailers are located.
  - The new restriction would prohibit new retailers from selling tobacco products within a certain distance from the outside boundary of a public, private, charter, or parochial school, grades K-12 inclusive (*e.g.*, 1,000 feet from schools).
  - The restriction will likely be drafted to allow establishment of new large grocery stores but discourage establishment of new large tobacco retailers.
  - PDPH is discussing this proposal with the Department of Licenses and Inspection (“L&I”), Zoning Code Commission, Law Department, City Council, and the Mayor.
- ❖ Philadelphia is considering implementing a local licensing system by City Council ordinance for current and future tobacco retailers.
  - Local licensing would allow the City to more effectively track tobacco retailers. In addition, the City may allow for suspension or revocation of a retailer's City tobacco license upon multiple violations of City tobacco laws, such as selling loose cigarettes or selling to youth.
  - PDPH will discuss this proposal with L&I, Zoning Code Commission, Law Department, City Council, and the Mayor.
- ❖ PDPH is reviewing the laws and regulations of other cities that have either adopted, or are considering adopting, similar zoning restrictions or licensing systems (*e.g.*, San Francisco, Oakland, New Orleans) for assistance in drafting an ordinance for Philadelphia.

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<sup>1</sup> Pennsylvania Department of Health, Tobacco Prevention Reporting System.

<sup>2</sup> Leatherdale, S.T. et al. (2007). Tobacco Retailer Density Surrounding Schools and Cigarette Access Behaviors Among Underage Smoking Students. *Annals of Behavioral Medicine*, 33(1), 105-111; Doubeni, C. A. et al. (2008). Perceived Accessibility as a Predictor of Youth Smoking. *Annals of Family Medicine*, 6, 323-330; Henriksen, L. et al. (2008). Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools?. *Preventive Medicine*, 47, 210-214.