AGENDA

I. Call to Order

II. Roll Call

III. Approval of Minutes
   1. Minutes Committee of the Whole Meeting September 17, 2019

IV. Regular Business
   1. Discussion Regarding a Zoning Text Amendment Related to Minimum Lot Width in the R-2, R-3, and R-4 Residential Zoning Districts (30 Minutes)
   2. Requested Consideration of a Text Amendment Regarding the Permissibility of Tattoo Parlors (30 Minutes)
   3. Discussion Regarding Vaping Ban (30 Minutes)

V. Public Comment

VI. Adjournment

DATE POSTED: September 27, 2019

Please Note that the start times for discussion topics are estimates and may be adjusted during the meeting as determined by the Village Board
Call to Order
President Bass called the Committee of the Whole meeting of the Lincolnwood Board of Trustees to order at 6:02 P.M., Tuesday, September 17, 2019, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook and State of Illinois.

On roll call by Village Clerk Beryl Herman the following were:
PRESENT: President Bass, Trustees Cope, Klatzco, Ikezoe-Halevi, Hlepas Nickell, Sargon, Patel
ABSENT: None

A quorum was present.

Also present: Anne Marie Gaura, Village Manager; Chuck Meyer, Assistant Village Manager; Hart Passman, Village Attorney; Heather McFarland, Assistant to the Village Manager; Jon Bogue, Management Analyst; Andrew Letson, Public Works Director; Nadim Badran, Assistant to the Public Works Director; Steve McNellis, Community Development Director; Melissa Rimdzius, Superintendent of Parks and Recreation.

Approval of Minutes
The minutes of the Committee of the Whole meeting of August 20, 2019 were presented. Motion by Trustee Ikezoe-Halevi to approve the minutes of August 20, 2019, seconded by Trustee Sargon.

The minutes of the Committee of the Whole meeting of September 3, 2019 were presented. Motion by Trustee Sargon to approve the minutes of September 3, 2019, seconded by Trustee Ikezoe-Halevi.

Regular Business
1. Discussion Regarding the Public Works Annual Report

This item was presented by Mr. Letson using a PowerPoint presentation for the 2018/19 Public Works Annual Report.

Mr. Letson stated that one of his goals when he became Public Works Director was to bring back the Public Works Department Annual Report. Mr. Letson stated that the purpose of bringing the report is to obtain feedback from the Village Board for the department and to highlight some of the department’s accomplishments.
Mr. Letson stated that the report which is being presented will be placed on the Village website on the Public Works page.

Some of the items Mr. Letson highlighted to the Board were regarding potable water, snow plowing and tree trimming. Mr. Letson noted this is the 21st year the Village has been awarded Tree City USA through the Arbor Day Foundation.

Following the presentation there was discussion over certain items.

2. Discussion Regarding Strategic Planning and Goal Identification

This item was presented by the Village Manager, Anne Marie Gaura, using PowerPoint.

Ms. Gaura gave a background on strategic planning, which occurs every two years.

Ms. Gaura went over the process with the Village Board and requested feedback.

Ms. Gaura stated that to work on the Strategic Plan now would coincide with noting items of need for the following year’s fiscal budget.

Trustee Cope stated he would like to see from past strategic planning, the goals that were established and what happened with some of those goals as a way to help with setting future goals.

Trustee Patel stated that some or most of those goals were listed in the Village Manager’s annual review as an indicator as to how the Village Manager is doing at their job.

There was discussion on whether to go forward with the strategic planning process and some possible other options to use instead.

Trustee Patel stated he felt it would be better for a professional to develop the plan.

Ms. Gaura recapped what the Board’s feedback was to make sure she had the correct direction. Ms. Gaura stated it was her understanding that the consensus of the Board was to proceed forward with the Strategic Plan process, to take Trustee Cope’s suggestion, to look at previous Strategic Plans to see what and was not accomplished, and make that part of phase I of the process. Ms. Gaura stated they will also incorporate the Long Range Plan into the process and will proceed forward with the not-to-exceed amount of $15,000 for the Strategic Plan consultant.

3. Discussion Regarding Long Range Planning Committee and Board Priorities

This item was presented by Trustee Hlepas Nickell using PowerPoint. Trustee Hlepas Nickell explained the purpose of the Long Range Planning Committee, how it operates and her hope for residential input at the Long Range Planning Committee meetings.
Trustee Hlepas Nickell went over some of the proposed Long Range Planning Committee projects that they are looking to cover at some point.

Trustee Hlepas Nickell stated she is asking the Village Board to recognize some of these initiatives and give direction to the Committee.

Ms. Gaura stated that at the last Long Range Planning Committee, one of the items on there was dog parks, which is on the agenda this evening.

There was further discussion regarding the Long Range Planning Committee and Strategic Planning. The Board then discussed some of the items for Long Range Planning Committee to focus on.

Trustee Cope felt there was not enough time or information for the Board to analyze the items and give direction to the Committee as to what they should focus on. Trustee Cope suggested giving the list to the Strategic Plan consultant and ask for their direction on the items.

Trustee Klatzco stated that he felt graffiti and bulk ordinance should be referred to CORB.

There was further discussion regarding the Long Range Planning Committee and the proposed topics.

Assistant Village Manager, Chuck Meyer, asked if the Board was making an official referral of Bulk Ordinance and Graffiti to CORB.

There was Board discussion as to whether or not to refer landscaping to CORB as well.

Trustee Cope stated we should take the three items, Bulk Ordinance, Graffiti and Landscape to CORB. Board consensus was to refer the three items to CORB.

4. **Discussion Regarding a Dog Park**

This item was presented by Melissa Rimdzius, Superintendent of Parks and Recreation, using PowerPoint.

Ms. Rimdzius gave an overview as to where dogs are currently allowed and not allowed in Village parks and paths and also the platforms where the location for dog parks have been discussed in the past.

Ms. Rimdzius stated that tonight staff is looking for direction from the Village Board on this item.

Trustee Hlepas Nickell asked Village Attorney, Hart Passman, what the Village’s liability would be with a dog park. Mr. Passman noted that the Village’s properties fall under the Tort Rule. Mr. Passman stated that if the Park and Recreation Board wanted to go forward with this the Village Attorney would be able to provide further details as to rules and regulations.
Trustee Patel stated that he would like to make the recommendation to refer this item to the Park and Recreation Board, with the thought of using Centennial Park because there is a parking lot there.

There was further discussion regarding dog parks.

Board consensus was to refer dog parks to the Park and Recreation Board.

5. Discussion Regarding Opting-in to Cook County Minimum Wage and Sick Leave Ordinance

This item was presented by Assistant Village Manager, Chuck Meyer, using PowerPoint.

Mr. Meyer stated it was the recommendation of the Village Attorney that the Ordinance that was passed in 2017 for opting out of the Minimum Wage and Sick Leave Ordinance, be handed to the Village Board as reference for this meeting.

Mr. Meyer stated where the information that was handed out could be located on the home page of the Village website. Mr. Meyer provided background, via PowerPoint regarding what Cook County had passed in 2017. Mr. Meyer did a comparison between Cook County’s Minimum Wage and Sick Leave Ordinance versus the State’s Ordinance which was recently passed.

Discussion ensued regarding the Cook County versus the State.

President Bass called up State Senator Ram Villivalam to speak on the issue. Senator Villivalam read a letter that he had sent to President Bass and signed by other representatives urging the Village to opt in to the act. Senator Villivalam spoke further on the subject. The Senator spoke of a bill that has been introduced providing a $5,000 tax credit to small businesses. President Bass thanked Senator Villivalam for attending and speaking.

Trustee Hlepas Nickell asked the Senator information regarding the bill.

There was further discussion between the Village Board and Senator Villivalam regarding the Minimum Wage Act and Sick Leave and why the Village should opt back in.

Speakers Edye Kamensky, Mr. Oshy, Nancy Wickum, Paula Fuller Tobin, Nancy Sharp, Tim Garcia all came forward speaking in favor of opting back in to the act. Trustee Patel stated there was not enough time at this meeting to discuss everything regarding the Minimum Wage Act and Sick Leave and asked if either at another Committee of the Whole or perhaps have a workshop to discuss further in the near future.

President Bass stated that a workshop would be best to allow for some small business owners to attend as well as to collect more data.

There was further discussion.
Trustee Cope stated he felt a workshop would be best. President Bass asked for a consensus on a workshop. There was a consensus from the Village Board to hold a workshop on this item.

**Public Forum**
None.

**Adjournment**
At 8:05 P.M. Trustee Cope moved to adjourn Committee of the Whole, seconded by Trustee Sargon.

The motion passed by Voice Vote.

Respectfully Submitted,

Caroline Dick
Deputy Village Clerk
MEMORANDUM

TO: President Bass and Members of the Village Board

FROM: Anne Marie Gaura, Village Manager

DATE: September 26, 2019

SUBJECT: October 2, 2019 Committee of the Whole Meeting

As a reminder, the Committee of the Whole (COTW) meeting is scheduled for 6:00 P.M. on Wednesday evening. Dinner will be available in the Village Hall Board Conference Room starting at 5:15 P.M. Please find below a summary of the items for discussion:

1. **Discussion Regarding Minimum Lot Width for Residential Property Referral and Red Flags (6:00–6:30 P.M.)**

   In September 2018, the Village Board adopted a Subdivision Ordinance Text Amendment stating that new subdivisions in the R-1 residential zoning district must include lots with a minimum lot width of 75 feet. As part of the deliberations related to that Text Amendment, the Village Board requested that staff consider a Text Amendment related to minimum lot width in the other residential zoning districts (R-2, R-3 and R-4). Attached is a memo from the Development Manager regarding those three residential zoning districts, how their lot size is currently determined in the code and possible options for future subdivisions in those districts.

2. **Discussion Regarding Referral of Proposed Tattoo Parlor to the Zoning Board of Appeals (6:30–7:00 P.M.)**

   Staff has received a request to consider a potential Zoning Text Amendment regarding the permissibility of tattoo parlors in the Village. Attached is a memo from the Development Manager seeking direction from the Village Board on this particular use.

3. **Discussion Regarding Vaping Ban (7:00–7:30 P.M.)**

   The use of vaping devices, also known as electronic cigarettes has become a national and local topic of concern. At a previous Village Board meeting, a resident spoke under public forum stating that the Village should consider banning the sale of vaping products. Attached is a memo from the Chief of Police laying out how the code currently reads and asking for direction as to whether or not to change the Village Code to include the definition of electronic cigarettes and to prohibit the sale to those under the age of 21.
If you should have any questions concerning this matter, please feel free to contact me.
MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Douglas Hammel, Development Manager

DATE: 10/2/2019

SUBJECT: Discussion Regarding a Zoning Text Amendment Related to Minimum Lot Width in the R-2, R-3, and R-4 Residential Zoning Districts (30 Minutes)

Background
In September 2018, the Village Board adopted a Subdivision Ordinance Text Amendment stating that new subdivisions in the R-1 residential zoning district must include lots with a minimum lot width of 75 feet. This was done in response to concerns specifically related to the potential for lots in that zoning district to be subdivided in a manner that is not consistent with the character of the area. As part of the deliberations related to that Text Amendment, the Village Board requested that staff consider a Text Amendment related to minimum lot width in the other residential zoning districts (R-2, R-3, and R-4).

Currently, the only metric related to the physical dimensions of a parcel that dictate its ability to be subdivided is minimum lot area. The following table indicates the current minimum lot size for each relevant zoning district, and the number of existing parcels that are large enough to be legally subdivided based on this metric.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Required Minimum Lot Area (for single-family homes)</th>
<th>Number of Private Subdividable Parcels*</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2</td>
<td>7,000 square feet</td>
<td>4</td>
</tr>
<tr>
<td>R-3</td>
<td>5,400 square feet</td>
<td>32</td>
</tr>
<tr>
<td>R-4</td>
<td>5,400 square feet</td>
<td>2</td>
</tr>
</tbody>
</table>

*Maps showing the locations of these parcels are included as attachments to this report. This amount does not
include publicly-owned parcels that appear on the maps.

**Discussion**

Staff believes that establishing a minimum lot width requirement for new subdivisions is an appropriate way to ensure development on newly created parcels is consistent with the desired character of the community. Staff is requesting that the Village Board refer this matter to the Plan Commission in order to initiate the formal Text Amendment process. Should the Village Board deem it appropriate to refer this matter to the Plan Commission, staff anticipates that the Plan Commission public hearing process and deliberations would explore the following policy questions:

- What portion of the code – either Chapter 15 Zoning or Chapter 16 Subdivision Regulations – would be the appropriate place for a potential Text Amendment related to minimum lot width? When the Board approved the Text Amendment establishing a minimum lot width for the R-1 zoning district, the Text Amendment was done in the Subdivision Ordinance. The primary reason for this was that, by establishing the minimum lot width requirement in the Subdivision Ordinance, it ensures that future lots created through subdivision will be compliant, but existing lots are not made non-compliant. Staff recommends that a similar approach be used for establishing a minimum lot width for new parcels in the R-2, R-3, and R-4 zoning districts.
- What are appropriate minimum lot widths for the R-2, R-3, and R-4 zoning districts? The typical sizes of parcels, zoning lots, and residential structures in these districts vary. As part of the preparation of materials for the Plan Commission public hearing, staff would conduct research to identify the typical development patterns that currently exist and the potential impacts of various minimum lot width thresholds.
- How might the R-4 district be regulated to specifically respond to townhouse or multi-family development? The R-2 and R-3 zoning districts only allow for single-family residential uses. However, R-4 allows for attached single-family and multi-family uses. Staff recommends that only single-family uses in the R-4 zoning district be subject to minimum lot width requirements, and that townhouse or multi-family uses be governed based on the existing regulations related to minimum lot area per dwelling unit.

**Financial Impact**

None.

**Recommendation**

Staff recommends that the Village Board referring to the Plan Commission a potential Text Amendment to the Subdivision Ordinance to establish a minimum lot width requirement in the R-2, R-3, and R-4 residential zoning districts.

**Documents Attached**

1. Village of Lincolnwood Zoning Map
2. Map of Existing Subdividable Parcels in the R-2 Residential Zoning District
3. Map of Existing Subdividable Parcels in the R-3 Residential Zoning District
4. Map of Existing Subdividable Parcels in the R-4 Residential Zoning District
Village of Lincolnwood

Parcels in the R-2 Zoning District with a Minimum Lot Area of at Least 14,000 Square Feet

- Parcels in Zone R2 >= 14,000 Square Feet
- Parcels in Zone R2
- Zone R2
- Village Boundary
Village of Lincolnwood
Parcels in the R-3 Zoning District with a Minimum Lot Area of at Least 10,800 Square Feet
Parcels in the R-4 Zoning District with a Minimum Lot Area of at Least 10,800 Square Feet

Parcels in Zone R4 >= 10,800 Square Feet
Parcels in Zone R4
Zone R4
Village Boundary
MEMORANDUM

TO: Anne Marie Gaura, Village Manager
FROM: Doug Hammel, Development Manager
DATE: 10/2/2019
SUBJECT: Requested Consideration of a Text Amendment Regarding the Permissibility of Tattoo Parlors (30 Minutes)

Background
Staff has received a request from Damien Kardaras, Petitioner, to consider a potential Zoning Text Amendment regarding the permissibility of tattoo parlors in the Village. Recently, staff processed and denied a Business License Application for a tattoo parlor at a property owned by the Petitioner. (The property is in the B-2 General Business zoning district.) The application was denied based on the fact that the proposed use was interpreted by staff to be a “tattoo parlor”, and that use is not explicitly permitted as per Table 4.01.1 Permitted and Special Uses in All Zoning Districts of the Zoning Ordinance.

Discussion
As stated above, Table 4.01.1 Permitted and Special Uses in All Zoning Districts does not explicitly list “tattoo parlor” in its list of uses. The only instance where “tattoo parlors” are explicitly mentioned in the Zoning Ordinance is in Section 4.07(2)d, where they are specifically listed as a prohibited use in the B-1 Traditional Business zoning district, Business/Residential Transition Overlay. This mentioning of the use, however, does not state that the use is generally permitted in any other zoning district.

In reviewing the Business License Application referenced above, staff considered whether “tattoo parlors” fall under the zoning category of a “personal service establishment. That definition reads as follows:

“PERSONAL SERVICE ESTABLISHMENT: A business that provides personal services directly to
customers at the site of the business or that receives goods from or returns goods to the customer which have been treated or processed at another location, including, without limitation, travel agencies, dry cleaning and laundry drop-off and pickup stations, tailors, hair stylists, cosmeticians, toning or tanning salons, currency exchanges, postal substations, package delivery and pickup stations, shoe repair shops, interior design studios, dance and martial arts studios, and domestic pet services.”

Since the definition does not specifically mention tattoo parlors, staff defaulted to the position that a use not explicitly designated as permitted is by default prohibited.

**Policy Questions**
Staff is seeking policy guidance from the Village Board on the following questions:
• Are “tattoo parlors” an appropriate use in the Village?
• If so, in what zoning districts are they most appropriate?
• Should they be considered a permitted use similar to “personal service establishments” (currently permitted in the B-1, B-2 and B-3 zoning districts, with such uses of greater than 2,000 gross floor area requiring Special Use approval in the B-1 and B-2 zoning districts), or should they require Special Use approval in districts in which they are permitted?
• Are there any special regulations or considerations that should apply to “tattoo parlors”?

**Financial Impact**
None

**Recommendation**
Staff is seeking guidance from the Village Board regarding the [policy question presented in this report, and a referral to the Plan Commission regarding the permissibility of tattoo parlors in various zoning districts.

**Documents Attached**
1. Village Zoning Map
MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Jay Parrott, Chief of Police

DATE: 10/2/2019

SUBJECT: Discussion Regarding Vaping Ban (30 Minutes)

Background
The use of vaping devices, also known as electronic cigarettes has become a national and local topic of concern. A Village resident at a previous Board meeting introduced comments at public forum that the Village should consider banning the sale of vaping products.

The police department recently brought before the Village Board amending the current Village Ordinance regarding the sale of tobacco products and tobacco accessories to increase the age requirement to 21 years of age. This change of the ordinance brings the Village Code to mirror the age requirement under Illinois law. Additionally, the Code also requires licensed establishments that sell tobacco products and tobacco accessories to require the purchaser to be 21 years of age.

The Village of Lincolnwood is a home rule community and requires any individual who possesses any tobacco product or tobacco accessories to be 18 years of age or older with some exception. Illinois law under Public Act 101-0002 increased the age requirement for purchasing and selling tobacco related products to 21 years of age, however the age requirement for possession of tobacco or tobacco accessories was removed from the statute.

The current Village Code defines tobacco products as any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, and dipping tobacco. Tobacco accessories are defined as cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines and other items, designed primarily for the smoking or ingestion of tobacco products or of substances made illegal.
The Village Code does not specifically address electronic cigarettes in regard to the sale of tobacco products or tobacco accessories. Electronic cigarette is defined under the Village Code 17-3-21 for the purposes in regard to use and defined as follows: An electronic device that typically includes a mouthpiece, a heating element or atomizer, a battery, and electronic circuits; provides a gas derived from a liquid that includes nicotine, propylene glycol, or similar substance and perhaps other substances; and is inhaled by a user in a manner that simulates or resembles smoking. The term "e-cigarette" includes all manner of these devices, regardless of the details of a device’s appearance or marketed name, that are manufactured to resemble a cigarette, cigar, pipe, or other smoking device. The term "e-cigarette" includes the cartridges and component parts of an e-cigarette, individually or in any combination.

The use of electronic cigarettes is prohibited in certain places by Village Code. No person may smoke, or use an e-cigarette, within any public park located in, and operated by, the Village; or any right-of-way that is regularly used for bicycle or pedestrian traffic but that is not regularly used by motor vehicles. Consideration to expand this to cover areas of the Illinois Smoke Free Act 410 ILCS 82 such as restaurants, bars and enclosed work places would further limit electronic cigarette use.

Health concerns regarding the use of vaping and electronic cigarettes have been considered an unknown. On August 23, 2019 the first vaping related death was reported in Illinois and over the past two months approximately 805 reported illnesses have been reported and a total of twelve deaths related to the use of vaping products. The U.S. Food and Drug Administration, the Center for Disease Control have been currently investigating the incidents and the possible connections. A criminal investigation has been opened by the U.S. Food and Drug Administration’s Office of Investigations and a link to black-market sales of products have some commonality in the cases. The current illnesses have been defined as acute respiratory distress disorder.

The consideration to regulate sales of vaping products in the Village can legally be established due to Lincolnwood’s Home Rule authority. This information has been conveyed by the Village’s legal counsel, Holland & Knight. Currently, several states have introduced forthcoming bans on flavored electronic cigarettes and legislation has been introduced in to the Illinois General Assembly addressing similar bans and/or limitations. Four states have introduced emergency bans on various types of vaping products. The emergency bans have time limits with extensions.

The Village currently has sixteen (16) retail sales locations that offer vaping related products for sale. These locations are located across the Village and are mostly gas stations, tobacco shops, and commercial drug stores. The specific sales tax revenue from electronic cigarettes and vaping products is unknown. However, there would be a negative impact in sales tax revenue if vaping products were banned from sale Village-wide.

**Direction Requested**

Does the Village Board want to include the electronic cigarette definition in the existing ordinance prohibiting the purchase of electronic cigarettes to individuals under the age of 21 that is consistent with current Illinois law?

Does the Village Board want to amend an existing vaping prohibition in certain places to include restaurants, bars and enclosed workplaces that would be consistent with the Illinois Smoke Free Act and
prohibition of smoking tobacco cigarettes in these locations?

**Recommendation**
Staff recommends incorporating the existing definition of electronic cigarette (e-cigarette) into the ordinance prohibiting the purchase or sale of e-cigarettes by persons under the age of 21.

Staff looks to the Village Board for direction on the policy decision to further prohibit the use of e-cigarettes in certain locations and the sales ban of e-cigarettes.

**Documents Attached**
1. PowerPoint Presentation
Village Board
Committee of the Whole
October 2, 2019
E-Cigarettes / Vaping
Illinois changed purchasing age of tobacco products to 21 that became effective July 1, 2019 under Public Act 101-0002 (1st State in Midwest & 11th State nationally)

Lincolnwood Village Code was modified with Board action on August 20, 2019 to also raise age of tobacco purchases to 21

Possession of Tobacco is illegal by Village Code for anyone under 18, Illinois Public Act 101-0002 has removed the possession provision.
Illinois Law vs. Ordinance

- Illinois law allows the sale of tobacco products by persons that are 16 years old. That age can be less if the person is working in a family owned business.

- Lincolnwood Village Code Defines Tobacco Products 10-3-2 as any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe, tobacco, snuff, chewing tobacco, and dipping tobacco. (no distinction in the Code on electronic cigarettes or alternative nicotine products)

Vaping & Electronic Cigarettes

Commercial E-Cigarettes Examples

Vapes with Liquid Nicotine

Vials of Vaping Oils
Illinois Municipalities with Restrictions on Vaping

Chicago: banned in all enclosed workplaces, including bars and restaurants; exempts vape shops

Deerfield: banned in all enclosed workplaces, including bars and restaurants

DeKalb: banned in all enclosed workplaces, including bars and restaurants

Elgin: banned in all enclosed workplaces, including bars and restaurants

Elk Grove Village: banned in all enclosed workplaces, including bars and restaurants

Evanston: banned in all enclosed workplaces, including bars and restaurants

Naperville: banned in all enclosed workplaces, including bars and restaurants

New Lenox: banned in all enclosed workplaces, including bars and restaurants

Oak Park: banned in all enclosed workplaces, including bars and restaurants

*Ogle County: banned in all enclosed workplaces, including bars and restaurants

Schaumburg: banned in all enclosed workplaces, including bars and restaurants

Skokie: banned in all enclosed workplaces, including bars and restaurants

Wilmette: banned in all enclosed workplaces, including bars and restaurants

*Arlington Heights: banned in all enclosed workplaces, including restaurants but exempting bars

*Wheaton: banned in all enclosed workplaces, including restaurants but exempting bars
Restriction on Vaping – San Francisco

- **First City to Ban Vaping/E-Cigarettes**

- **Ordinance Ban the Sale of Vaping Products/E-Cigarettes on any product that has not been approved by the FDA Review**

- **Effective January 1, 2020**

- **Allows retail establishments time to prepare for change and remove products from sale**

- **This Ordinance ban was met with push back and the item is set for a November referendum vote to the public**

- **On August 8, 2016 the FDA gave companies 2 years for application and approval of their product to remain on the market**

- **The approval by the FDA review has been extended to August 8, 2022, the has also been some litigation in regards to the FDA deadline imposed**
Illinois Bills Introduced that Could Impact Vaping

• **HB 3883** – Flavored Tobacco Ban
  Introduced - 9/5/19

• **HB3887** – Flavored Tobacco Ban
  Introduced 9/13/19

• **SB 1864** - Amends Illinois Clean Air Act to include electronic cigarettes and alternative nicotine products – Introduced 2/15/19  Status: In-Committee

• Other Bills are expected to be sponsored along with movement in the General Assembly
Locations of Tobacco Sales in Lincolnwood

1. Bucky’s Express Mobil - 6401 N. Cicero Avenue
2. Keystone Liquors - 6423 N. Cicero Avenue
3. BL Vapes & Hookah - 6435 N. Cicero Avenue
4. BP Amoco Gas Station - 6801 N. Cicero Avenue
5. Circle K Shell Gas Station - 7201 N. Cicero Avenue
6. BP Amoco Gas Station - 7200 N. Cicero Avenue
7. American Smoke & Vape - 4356 W. Touhy Avenue
8. Art of Smoke - 4706 W. Touhy Avenue
9. Smoke Depot - 3350 W. Devon Avenue
10. CDENT Shell Gas Station - 6400 N. Lincoln Avenue
11. Lincolnwood BP Amoco - 6599 N. Lincoln Avenue
12. Lincoln Mobil Gas Station - 6777 N. Lincoln Avenue
13. Walgreens - 6798 N. Lincoln Avenue
14. Binny’s Beverage Depot - 7175 N. Lincoln Avenue
15. Shell Gas Station - 4000 W. Touhy Avenue
16. Mobil Gas Station - 7169 N. Crawford Avenue
Mapped Location of Tobacco Sales in Lincolnwood

*RED DOTS INDICATE SALES LOCATIONS
Vaping Health Concerns & Pending Action

- 12 Deaths Linked to Vaping (California (2), Illinois, Indiana, Minnesota, Kansas, Missouri, Florida, Georgia, Oregon & Kansas)

- Reported Lung Illnesses from Vaping initially tallied 530 over a weeks ago in 38 states, have now increased according to the CDC to 805 cases in 46 states

- One death and 42 reported illnesses in Illinois

- Most are related to the use THC vaping solutions

- Recent focus is on teen usage of e-cigarettes

- FDA plans to have all non-tobacco flavor e-cigarettes removed from market in 30 days and a criminal investigation has been opened by the FDA

- The source of the illnesses are not specifically known but there is some correlation that the product used may be from a non-regulated black market product which most likely involve THC
State Bans Imposed

• Michigan imposed an emergency ban on September 18, 2019 for flavored vaping products except tobacco flavor and gave retailers two weeks to comply with a possible renewal at 6 months.

• New York imposed an emergency ban on most nicotine flavored vaping products effective September 17, 2019 where enforcement begins October 4, 2019 and will last for 90 days.

• September 24, 2019 Massachusetts imposed an emergency ban on all tobacco, flavored and THC vaping products sales for 4 months that was effective immediately.

• Rhoda Island imposed an emergency state-wide ban on all flavored tobacco vaping products on September 25, 2019 for 120 days with a possible extension for 60 more days.

• California has not imposed a ban but moved to prohibit sales to anyone under 21, mandate warning signs at sales locations and prohibit black market sales of vaping products.
Staff Recommendations

- Amend the Village Code to Define Electronic Cigarettes as it relates to sales and purchases
- Amend the Village Code to include Electronic Cigarettes in the prohibited sale of tobacco products, tobacco accessories and electronic cigarettes to persons under 21 that parallels Illinois law
- Direction as to the creation of an Ordinance that bans e-cigarettes from the enclosed work place, restaurants and bars, essentially mirroring the ban on smoking as a part of the Illinois Smoke Free Act
- Other direction as requested due to both State and Federal regulations pending

Questions?