



# COUNTY OF HUMBOLDT

For the meeting of: 5/6/2025

---

File #: 25-602

---

**To:** Board of Supervisors

**From:** DHHS: Public Health

**Agenda Section:** Consent

**Vote Requirement:** Majority

**SUBJECT:**

Introduction of an Ordinance Amending Humboldt County Code, Title VII, Chapter 7, Section 817-13, Comprehensive Tobacco Retailer Licensing Ordinance

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Introduce the Ordinance Amending Section 817-13 of Chapter 7 of Title VIII of the Humboldt County Code "Tobacco Retailer Licensing" regulating nitrous oxide product sales and waive the first reading; and
2. Set the Amendment to Ordinance No. 2718 for adoption on June 3, 2025, to take effect and be in force thirty (30) days from the date of its adoption; and
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the ordinance to be done at least 5 days prior to the date set for adoption; and
4. Direct the Clerk of the Board within 15 days after adoption of the ordinance to publish a post-adoption summary of the ordinance with names of Supervisors voting for and against the ordinance, in a newspaper of the general circulation published in the County of Humboldt, State of California.

**STRATEGIC PLAN:**

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1006 - Implement Live Well Humboldt - Community Health Improvement Plan

**DISCUSSION:**

On July 11, 2023, the Board of Supervisors adopted Ordinance No. 2718 titled Comprehensive Tobacco Retailer Licensing Ordinance.

On Jan. 9, 2024, the Board of Supervisors adopted Resolution 24-4 titled Resolution of the Humboldt County Board of Supervisors Addressing the Sale, Distribution and Use of Nitrous Oxide in Humboldt County.

Today the Department of Health and Human Services (DHHS) - Public Health brings forth an Amendment of Ordinance No. 2718 to add the language in section 817-13 to revoke a tobacco retailer's license if it is in violation of selling Nitrous Oxide.

Also coming before your Board today on staff report 25-601 is the Introduction of the Comprehensive Nitrous Oxide Ordinance that will make it unlawful for any person in the County of Humboldt, with exceptions, to sell or attempt to sell, offer, distribute or provide Nitrous Oxide to any person.

**SOURCE OF FUNDING:**

Public Health Fund (1175)

**FINANCIAL IMPACT:**

Narrative Explanation of Financial Impact:

There is no anticipated financial impact on the fiscal year (FY) 2025-26 or future FY revenue or expenditure budgets, including fee schedules, as this amendment does not introduce new fines, fees, or funding allocations. The primary objective is to prohibit the sale and distribution of nitrous oxide, with violations potentially leading to the revocation of a Tobacco Retailer License. It is anticipated that there will be compliance with the nitrous oxide sales ban ordinance, and therefore have no impact to fee revenue.

**STAFFING IMPACT:**

Narrative Explanation of Staffing Impact:

Tobacco Retail Licensing involves staff the DHHS- Public Health Division of Environmental Health, however, it is anticipated that the staffing impacts related the amendment of this ordinance would be minimal.

**OTHER AGENCY INVOLVEMENT:**

N/A

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board may choose not to amend the Tobacco Retail Licensing Ordinance in support of the Comprehensive Nitrous Oxide Ordinance, however, it is anticipated this would result in continued prevalence and ease of access to Nitrous Oxide in Humboldt County.

**ATTACHMENTS:**

1. Board of Supervisors, County of Humboldt, State of California Ordinance 2718
2. Proposed Amendment to Ordinance No. 2718

**PREVIOUS ACTION/REFERRAL:**

Meeting of: 1/9/24, 2/27/24, 5/21/24, 6/4/24

File No.: 24-5, 24-181, 24-863, 24-864