

PROPOSED RESOLUTION NO. 2019-R-48

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING THE GOVERNOR AND MEMBERS OF THE LEGISLATURE TO ENACT A TEMPORARY BAN ON SALES OF VAPING PRODUCTS, TO INCREASE THE MINIMUM LEGAL AGE TO PURCHASE VAPING PRODUCTS FROM 18 TO 21, AND TO DECLARE A PUBLIC HEALTH EMERGENCY IN THE STATE OF FLORIDA RELATED TO THE USE OF VAPING PRODUCTS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE MEMBERS OF THE LEGISLATURE AND THE BROWARD LEAGUE OF CITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, recent federal data compiled by the National Institute on Drug Abuse indicates that, in 2019, 25% of high school seniors and 20% of 10th graders reported vaping nicotine in the past month; That is more than double the use reported in 2017; and

WHEREAS, nicotine in vaping products is derived from tobacco, is addictive, is a gateway to traditional cigarette use and has immediate short-term negative health impacts on brain development and cardiovascular issues; and

WHEREAS, young brains are particularly susceptible to the addictive properties of nicotine, which results in approximately 3 out of 4 teen smokers utilizing nicotine into adulthood; and

WHEREAS, the U.S. Surgeon General has stated that nicotine alters adolescent brain development and is toxic in high doses; and

WHEREAS, the Centers for Disease Control and Prevention is investigating 805 cases of vaping-related lung illnesses in 46 states and 1 U.S. territory, including at least 12 deaths, that have been linked to both nicotine and cannabis vaping products; and

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WHEREAS, the Commonwealth of Massachusetts has recently declared a public health emergency with respect to the outbreak of severe lung disease related to the use of vaping products; Massachusetts has further prohibited the sale of all vaping products to consumers through January 25, 2020; and;

WHEREAS, other states including Michigan, New York, California, Washington, and Rhode Island have already enacted bans on the sale and/or use of vaping products; and

WHEREAS, the City Commission of the City of Pembroke Pines urges the Governor and the Legislature to enact a temporary ban on the sales of all vaping products, to increase the minimum legal age to purchase vaping products from 18 to 21, and to declare a public health emergency in the State of Florida related to the use of vaping products; and

WHEREAS, the City Commission finds that such action by the Governor and the Legislature is in the best interests of the citizens and residents of the City of Pembroke Pines and the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:

Section 1. The foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission of the City of Pembroke Pines, Florida, hereby urges the Governor and the Legislature to enact a temporary ban on the sales of vaping products, to increase the minimum legal age to purchase

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vaping products from 18 to 21, and to declare a public health emergency in the State of Florida with respect to the use of vaping products.

Section 3. The City Clerk is hereby directed to transmit a copy of this Resolution to the Governor, the members of the Legislature and the Broward League of Cities.

Section 4. All resolutions or parts of resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5. If any Section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS _____ DAY OF OCTOBER, 2019.

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

BY: _____
MAYOR FRANK C. ORTIS

MARLENE D. GRAHAM, CITY CLERK

ORTIS _____

GOOD _____

CASTILLO _____

SCHWARTZ _____

APPROVED AS TO FORM:

SIPLE _____

OFFICE OF THE CITY ATTORNEY