

## INPUT RECEIVED BY DIXON PD

We do not have any establishments of that nature in our city, but the City of Fresno has at least one in their city. Hookah Lounges are open to the public for anyone over the age of 18. It is a legal drug that is smoked out of a bong type container. People go into these lounges and just hang out and smoke. The City of Fresno would be the only city in our county that I believe has one of those establishments. I received my information in Bakersfield when I went to a PC308(b) class there.

Officer Amy Freeman  
School Resource Officer.

Chief,

Our City does not have one of these, but the cities of La Verne and San Dimas in L.A. County do have them (I live in La Verne and have heard they've had some issues with them). Hopefully they reply to this e-mail, but if not, you may want to contact them directly.

Jim

Jim Smith  
Captain  
Monterey Park P.D.  
(626) 307-1402  
jsmith@montereypark.ca.gov

Don: We have a local pizza parlor in a Foster City shopping center that fronts a lagoon, across from a single family housing development. The parlor owner has authorized patrons to sit on the public deck behind his shop and smoke hookahs when weather permits. The vast majority of those who imbibe appear to be of middle-eastern descent. They are orderly and reasonably quiet. However, between their ethnic appearance, the public's suspicions of what they may be up to and the strange appearance of the hookahs, they have garnered some negative perceptions in the community. As a result of complaints from the public, at one point our City Council asked City staff to investigate whether they may be in violation of any regulations (H&S, fire code, use permits, etc.). They weren't. Council never chose to pursue it further. They have also generated complaints from residents across the water about the volume of their conversations. I personally question whether their appearance and activity is the real motivation for these complaints. This being said, the PD has never had any confrontational contacts with the smokers or encountered any lack of cooperation when we've responded to noise complaints.

Craig Courtin  
COP

We have a business that apparently rents Hookah's, but the issues we have are fairly unique to the location and our community. First, the business is located adjacent to a water canal that runs through town and the noise from the socialization among patrons travels across the water and has been known to disturb nearby residents. The other issue relates to the outdoor location that is used. It is on a rather narrow common area boardwalk. The location requires patrons of other businesses to navigate through the smoke to pass the business. We have looked at tobacco regulations; however have learned that not all material being smoked in a hookah is tobacco.

Good Luck.

Jon Froomin, Captain

Foster City Police Department

Chief,

Our City does not currently have an ordinance, but CA smoking laws apply and they cannot smoke inside the building, only on an outside patio. If I have any suggestions I would say this, alcohol in a Hookah lounge is difficult to regulate, these establishments cater to the young (18 to 25 yrs) crowd and you'll have the 21 and older buying drinks and they share them at the table as they do the Hookah.

Our one establishment has recently come to us to expand (new owner). We've advised him we'll protest the expansion (Via ABC) unless they agree to a condition of only 21 years and older allowed to smoke. They agreed and are in the process of expanding.

We had very high calls for service at the Hookah lounge prior to our being able to place an ABC condition of no sales after 10pm. After that condition was placed on the business, the calls for service were minimal. Sorry I don't have more information.

Sgt. Dale Bourgeois  
Chula Vista Police Department  
Special Investigations Unit  
(619) 691-5059

Arcadia does not have hookah lounges that I am aware of, but you might want to check with Palm Springs PD. Palm Springs has hookah bars that also sell coffee, etc, but many of the returning Marines from Iraq stationed at 29 Palms picked up smoking Hookah while in Iraq and Palm Springs seems to be an outlet for them (I know because my son is one of those Hookah smoking Marines!)

Regards,

Bob Sanderson, Chief  
Arcadia PD

We actually have a small one, connected to a smoke shop, within the Pacific East Mall. The PEM is our largest Asian Mall, housing many different store fronts, markets, tea shops etc and... the smoke shop with the small smoking lounge. I do not recall that it's ever been a problem for us. I could look up stats but would probably be hard pressed to find any.

Ed Medina  
Deputy Chief  
Richmond Police Department  
(510) 620-6852 - Office  
(510) 620-6880 - Fax

We covered this by enacting an ordinance that prohibited smoking inside of buildings-I've attached it

Pete Dunbar  
Pleasant Hill

Although I don't have such a place in La Habra, I know there is at least one in Cathedral City (on Hwy. 111). Perhaps Stan Henry over there can help you. Good luck...

Lahabra City

We did have an applicant who was trying to start one earlier this year. The proposed project eventually went away but I'm not sure what happened. There were strong arguments from the cancer society and the health dept tobacco reduction folks. Our Community Development Director Tom Colon is away for a week or so, but he would probably have more information if your planning department had specific questions.

**Randy Mendosa, Chief of Police**  
**Arcata Police Department**

I have a hardcopy of our Smoking Lounge ordinance that I would like to get out to you tonight. I need your address. The phone number you provided has been busy for a couple of hours.

Thanks,

Sergeant Allan Roman  
Vice Detail  
(714) 765-1451  
Anaheim Police Department

Chief, we had a proposal for a "Hookah Lounge/Deli" here in Napa. The Planning Department viewed the "lounge" as similar to a tobacco store and as such not permitted in the 'Local Commercial' zone where the business was situated. Michael Allen from our Planning Department may have some advice. He can be reached at [mallen@cityofnapa.org](mailto:mallen@cityofnapa.org)

Good luck, Andy Lewis – Commander, Special Operations, Napa Police Department  
707.257.9571

Selma has been working with a Hookah Lounge application for a few months. It is hard to regulate if you don't have an ordinance in place. We are dealing with this application like a smoking shop attached in a cigar store.

The problem with this is these type of smoking establishments want to operate like a lounge. They are now asking to be open from 10am to 12 pm during the week and 10am to 2am on weekend.

I would recommend you place this type of use under a Conditional Use Permit to allow for some control.

City of Selma

Chief Mort,

We dealt with this issue in Pleasanton last year when a Mediterranean restaurant tried to open a hookah lounge. We do not have a hookah lounge ordinance but the related state laws were sufficient to handle our problem.

The ability to open a hookah lounge depends on what they are proposing. As a bon-a-fide tobacco retailer they can smoke tobacco on site, including with a hookah. The problem is most hookah lounges allow the smoking of tobacco and they also attempt to serve food or beverages, as this restaurant was proposing. This is where they run into trouble. As the various codes below explain, no food whatsoever may be served at a tobacco retail store and that is about the only public place tobacco may be smoked.

This restaurant even went to the trouble of applying to the BOE for a tobacco retail license, which they were going to get because the BOE does not prohibit a restaurant from selling tobacco product for off-site consumption. The restaurant owner we were dealing with abandoned the hookah lounge idea when he was informed of the codes listed below.

Feel free to have someone call me direct at (925) 931-5620 if you have any additional questions.

Regards,

Jeff

Sergeant Jeff Bretzing  
Senior Code Enforcement Officer  
Planning and Community Development

From the California Business and Professions Code

22962 (a)

(4) "Tobacco store" means a retail business that meets all of the following requirements:

(A) Primarily sells tobacco products.

(B) Generates more than 60 percent of its gross revenues annually from the sale of tobacco products and tobacco paraphernalia.

(C) Does not permit any person under 18 years of age to be present or enter the premises at any time, unless accompanied by the person's parent or legal guardian, as defined in Section 6903 of the Family Code.

(D) Does not sell alcoholic beverages or food for consumption on the premises.

From the California Health and Safety Code:

113781. "Food" means a raw, cooked, or processed edible substance, ice, beverage, an ingredient used or intended for use or for sale in whole or in part for human consumption, and chewing gum.

113739. "Beverage" means a liquid for drinking, including water.

You may want to check with Chief Joe Polisar at Garden Grove PD. I retired from there a couple of years ago and we had Hookah lounges in town. When I worked there, we had City regulations. I believe it might have been a conditional use permit. Garden Grove PD is located at 11301 Acacia Parkway, Garden Grove, CA 92840. Phone (714) 741-5900.

Commander Frank Hauptmann