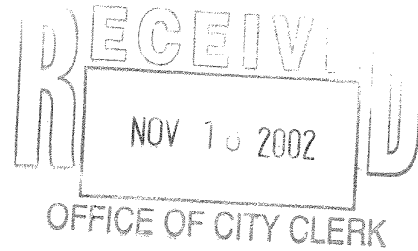


NOVEMBER 11, 2002



CITY OF BERKELEY
CITY CLERK
2180 MILVIA STREET
BERKELEY, CA 94704

RE: ADDITION OF ORDINANCE
FEES FOR TOBACCO RETAIL LICENSURE
CHAPTER 12.74/MUNICIPAL CODE TITLE 12
HEALTH AND SAFETY REGULATIONS

THERE ARE CURRENT FEDERAL REGULATIONS AND STATE LAWS WHICH ADDRESS THE SALE OF TOBACCO TO MINORS. THE CITY OF BERKELEY DOES NOT NEED AN ORDINANCE TO ENFORCE THE EXISTING STATUTES. THE SURVEY UPON WHICH THIS PROPOSAL IS PREMISED WAS CONDUCTED IN THE YEAR 1998, IT IS NOW THE YEAR 2002. UNDER-AGED YOUTH WILL "FIND A WAY" TO INDULGE THEIR VICIES. AN ADDITIONAL LAW WILL NOT DETER THIS BEHAVIOR. THE VAST MAJORITY OF BUSINESS OWNERS ARE WELL AWARE OF THE CONSEQUENCES RELATED TO THE SALE OF TOBACCO TO MINORS AND ABIDE BY THESE LAWS. WHAT IS THE INTENDED USE OF THE ANNUAL \$300.00 FEE? ADULTS PURCHASE CIGARETTES BY CHOICE. AS MERCHANTS, THIS PROPOSAL WOULD NECESSITATE AN INCREASE IN THE COST OF CIGARETTES, NEGATIVELY IMPACT BUSINESS INCOME AND CUSTOMERS WILL MAKE PURCHASES IN OTHER CITIES. THIS PROPOSAL IS TAILORED TO SUBJECT SMALL BUSINESSES AND TAX PAYERS FOR THE RESPONSIBILITY OF OTHERS... THIS PROPOSAL IS TRIVIAL, FRIVOLOUS AND DOES NOT ADDRESS THE UNDERLYING PROBLEM. SURELY THE CITY OF BERKELEY HAS MORE IMPORTANT ISSUES TO BE ADDRESSED!

MOHAMED AHMED ALQASSARI
MAA/KLH

11-11-2002

P.S. HAVE YOU CONSIDERED THE EDUCATION OF YOUTH TO THE MANY HAZARDS/VICES WHICH CONFRONT THEM DAILY? IF NOT, YOU SHOULD!

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