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cchealth.org

NOTICE OF SUSPENSION HEARING  
(Contra Costa County Ordinance Code, § 445-10.018)

April 24, 2024

Ahmed Dubaih  
3770 San Pablo Dam Road  
El Sobrante, CA 94803

RE: Smoke Depot  
SITE ADDRESS: 3770 San Pablo Dam Road, El Sobrante, CA, 94803  
APN: 420-140-035

Smoke Depot, located at 3770 San Pablo Dam Road, El Sobrante, California (the “Property”) operates pursuant to a tobacco retailer’s license regulated under Chapter 445-10 (Tobacco Retailer’s License Ordinance) of the Contra Costa County Ordinance Code. Our records indicate that you are the listed licensee for the above-referenced Property. Inspection of the Property was conducted on April 18, 2024, and the following violations of the Tobacco Retailer’s License Ordinance were observed:

April 18, 2024

1. Flavored tobacco products on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
2. Menthol cigarettes on display and offered for sale. (County Ordinance Code, Section 445-6.006.)
3. Electronic smoking devices on display and offered for sale. (County Ordinance Code, Section 445-6.014.)
4. Drug paraphernalia, specifically mushrooms, cannabis flower, flavored cannabis vaping liquids, and blunts were on display and offered for sale, and offered for sale in a location that did not exclude unaccompanied persons under the age of 18. (County Ordinance Code, Section 445-10.018(a); 21 U.S. Code, Section 863; Cal. Health and Saf. Code, Section 11364.5; Cal. Health and Saf. Code, Section 11377.)
5. Single cigars on display and offered for sale. (County Ordinance Code, Section 445-6.010.)
6. Self-service displays. (County Ordinance Code, Section 445-6.002.)

Staff has also become aware that you purchased the above-referenced property in or around August 2023 and have been operating the subject business under the previous tobacco retailer's license without obtaining a new, valid tobacco retailer's license. A tobacco retailer's license is nontransferable. Accordingly, this is a violation of County Ordinance Code, Section 445-10.010(c).

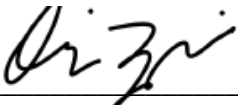
Due to the above-cited violations, the proposed time period of the tobacco retailer's license suspension is **90 days**.

The violations cited herein constitute the Smoke Depot's second violation of the Tobacco Retailer's License Ordinance. A Notice of Fine was issued and became a final administrative order on January 26, 2023, documenting Smoke Depot's first violation. A tobacco retailer's license may be suspended for up to 90 days for a second violation that occurs within five years after the first violation. (County Ordinance Code, Section 445-6.018.)

The processing of your current application for a new tobacco retailer's license for the above-referenced property will be placed on hold. If a suspension of the current tobacco retailer's license is ordered, your application may not be approved, and a new tobacco retailer's license will not be issued until the suspension period has concluded.

The Public Health Director will hold a license suspension hearing on **Tuesday, June 11, 2024, at 11:00am.**, at 597 Center Ave, Room 120, Martinez, CA 94553. At the hearing, you will be given the opportunity to testify and present any supporting evidence concerning the notice of suspension hearing. After consideration of the evidence and testimonies at the hearing, the Public Health Director will issue a written decision to suspend or not suspend the tobacco retailer's license. The written decision will include the reason or reasons for the decision and the time period of the tobacco retailer's license suspension.

Anna Roth  
Director, Department of Health Services  
Contra Costa County

By   
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Dr. Ori Tzvieli  
Health Officer, Public Health Director