



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Chris Brandes
Public Safety Director
Chief of Police

Item # 19
Date: 11/10/25



To: Mayor and City Council
From: Chris Brandes, Public Safety Director/Chief of Police
Date: Monday, October 20, 2025
Ref: Retail Device Permit

HISTORY:

On January 1, 2025, the Iowa Senate File 345 became effective. This SF regulates and taxes the sale of devices in Iowa. The devices are defined as "any equipment or product, made in whole or in part of glass or metal that is designed for use in inhaling through combustion tobacco, hemp, other plant materials, or a controlled substance. Device does not include a vapor product or a tobacco smoking product made of briar, meerschaum, clay, or corn cob and not having a surface, aperture, or other feature consisting of metal or glass."

On 7/18/25, Sundown Liquor and Groceries submitted an application to the State of Iowa. No communication was made with the City of Nevada.

On 10/14/25, the City of Nevada became aware of the permit application. A check on site check of the store determined inventory was on hand; however, it was not displayed and not advertised for sale. The visual inspection of the inventory on hand would be consistent with glass smoking devices and bongs.

On 10/15/25, communication with the Alcohol and Beverage Division (ABD) took place. It was determined the code was written to allow cities to approve or the deny permits based on their discretion. Other cities who had previously denied permits were contacted to determine what recourse occurred after the denial of the permit. There has been no recourse an applicant has used to contest a denial of a permit.

RECOMMENDATION:

The Nevada Public Safety Department requests this permit be denied.

FACTS TO SUPPORT RECOMMENDATION:

- According to a 2022 survey across 22 U.S. states and 2 territories, among adults who used marijuana in the past 30 days, **79.4%** reported *smoking* it (rather than eating, vaping, etc) as their route of use. (CDC)
- In a 2023 detailed table: Among past-month users overall, ~34.7% reported marijuana vaping; thus ~65.3% did *not* vape. Smoking remains the dominant route for marijuana use. (SAMHSA)
- On device-preferences: A study among young adults (mean age ~27) found: among those who currently used marijuana, **61.9%** used "smoking marijuana in a joint, bowl or bong" as their main mode; 4.5% reported using a water-pipe (bong) for marijuana. (PMC)
- For tobacco: The 2022 National Survey on Drug Use and Health (NSDUH) shows among past-month tobacco product users aged 12 or older, about 67.2% used *only cigarettes*, 13.4% cigarettes + non-cigarette tobacco products, and 19.4% only non-cigarette tobacco products (e.g., cigars, smokeless, pipe tobacco). (SAMHSA)

The information provided suggests that these devices would have a higher probability of use with marijuana consumption versus tobacco consumption.

In my work experience, the majority of marijuana related arrests have had a glass smoking device associated with the incident.

In addition, the store associated with this permit has had two (2) failed compliance checks in the last twelve (12) months on items they are currently permitted/licensed to sell. This does not suggest an addition to the permitted items should take place at this time.

I have attached photos of similar devices to what are currently on hand at the store.

Respectfully submitted,



Chris Brandes
Public Safety Director
Chief of Police

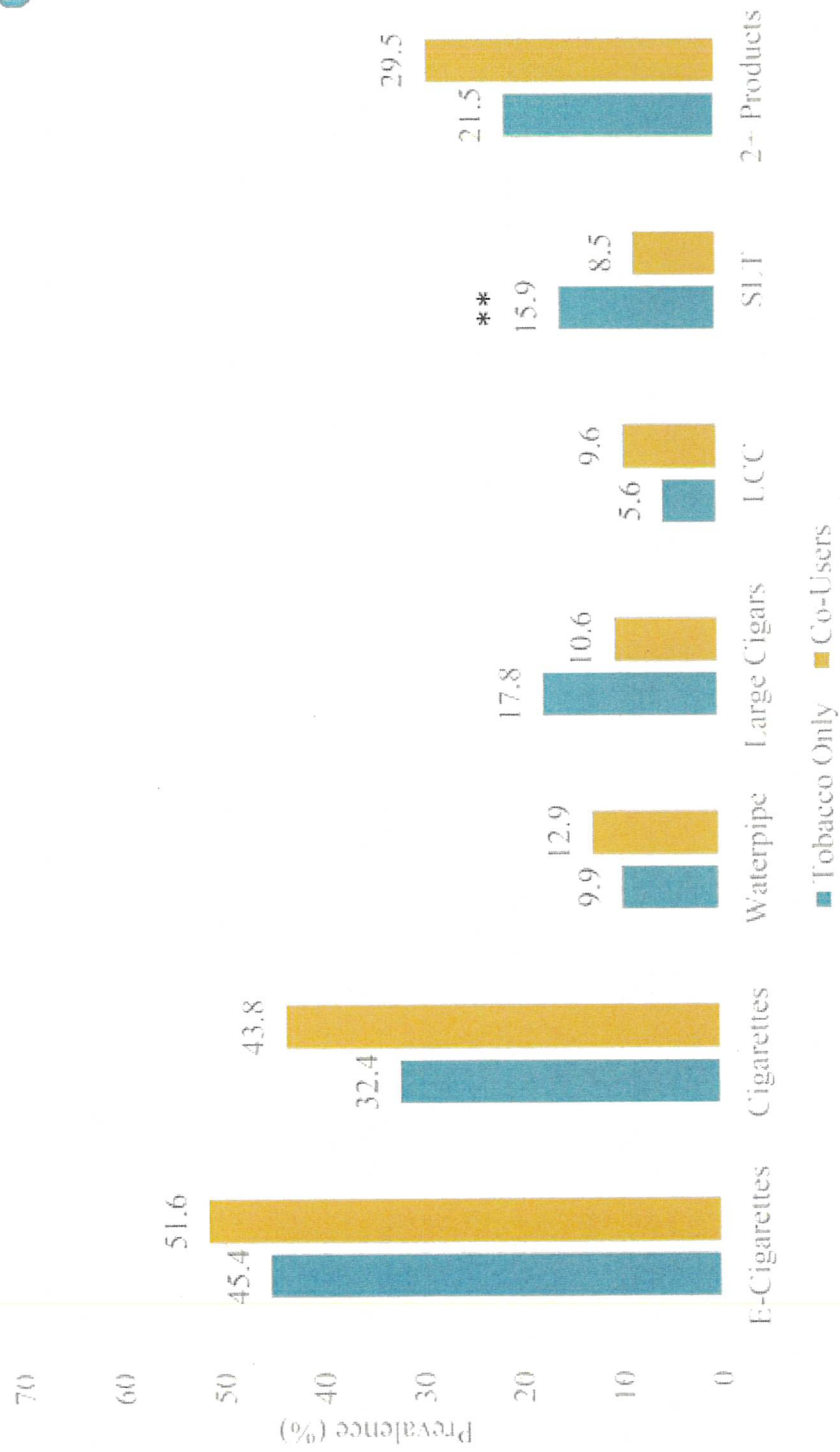
References:

Substance Abuse and Mental Health Services Administration. (2023). Key substance use and mental health indicators in the United States: Results from the 2022 National Survey on Drug Use and Health (HHS Publication No. PEP23-07-01-006, NSDUH Series H-58). Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration.
<https://www.samhsa.gov/data/report/2022-nsduh-annual-national-report>

Quader ZS, Roehler DR, Vivolo-Kantor AM, Ko JY. Routes of Marijuana Use – Behavioral Risk Factor Surveillance System, 22 U.S. States and Two Territories, 2022. MMWR Morb Mortal Wkly Rep 2025;74:198-204. DOI: <http://dx.doi.org/10.15585/mmwr.mm7412a1>

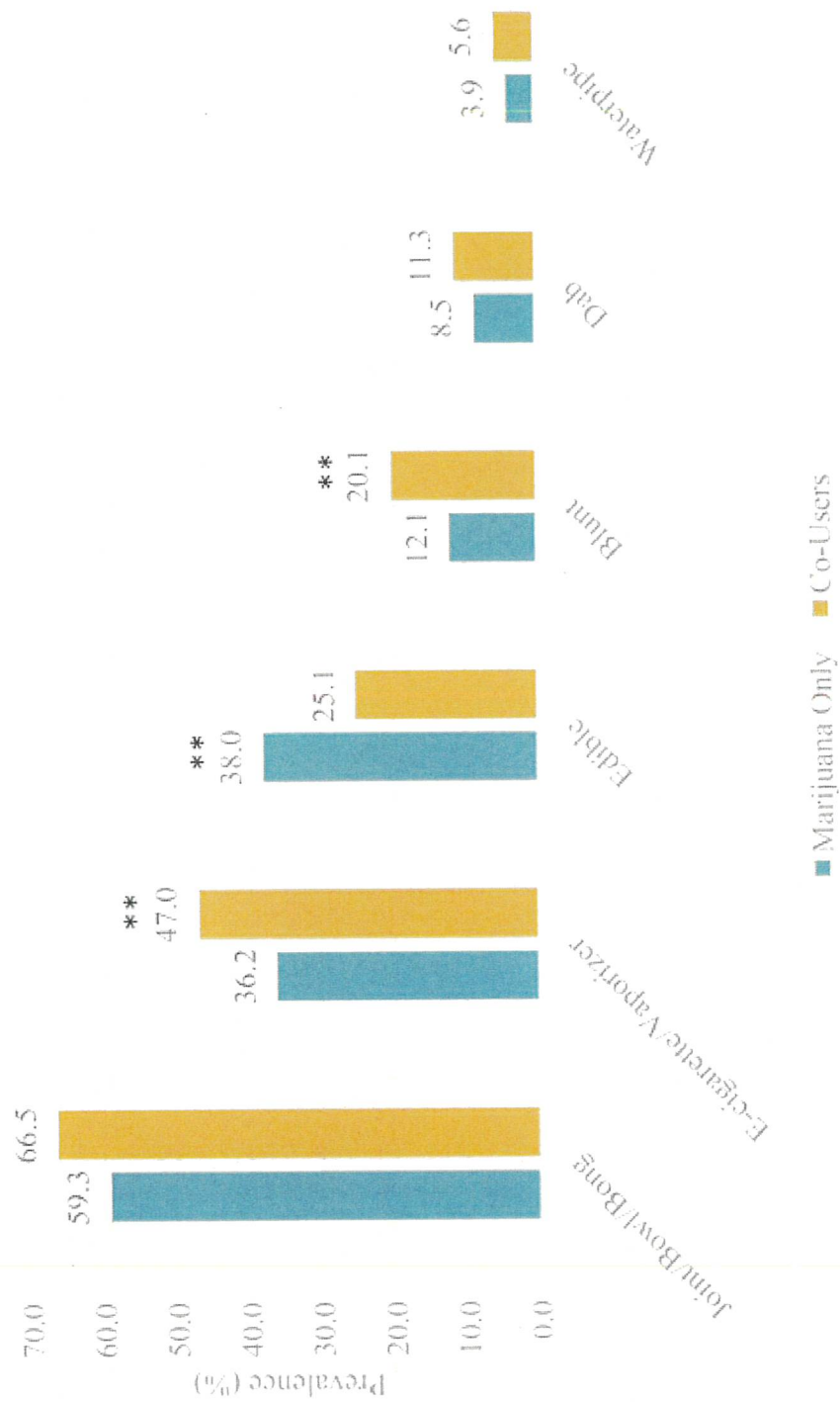
Reboussin BA, Wagoner KG, Ross JC, Suerken CK, Sutfin EL. Tobacco and marijuana co-use in a cohort of young adults: Patterns, correlates and reasons for co-use. Drug Alcohol Depend. 2021 Oct 1;227:109000. doi: 10.1016/j.drugalcdep.2021.109000. Epub 2021 Aug 28. PMID: 34507062; PMCID: PMC8516030.

Figure 1.

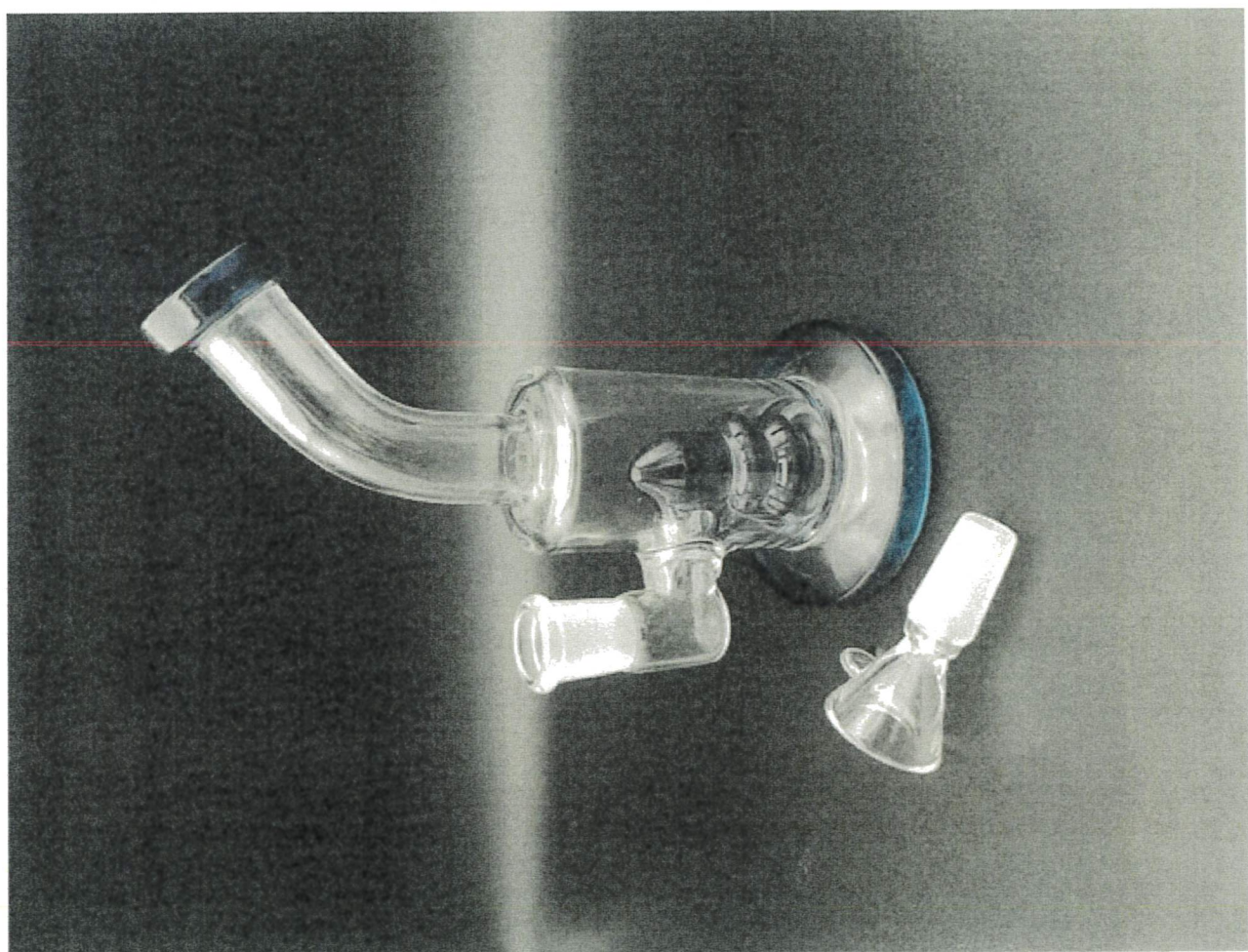


Tobacco Product Use for Co-Users and Tobacco Only Users

Figure 2.



Modes of Marijuana Administration for Co-Users and Marijuana Only Users





Device Retailer License Review

CITY OF NEVADA

1709371804

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP: H&S STORES LLC

Type of ownership: Limited Liability Company

Primary office address: 622 BROAD ST STORY CITY IA 50248-1226

Legal Ownership Phone: 515-686-0897

Legal Ownership Email: adilrasoolb@icloud.com

Application Information

Sales Permit Number:: 305208626

Location Name: SUNDOWN LIQUOR & GROCERIES

Location Phone Number: 515-934-8270

Location Address: 731 LINCOLN HWY NEVADA IA 50201-1717

Location Mailing Address: 1014 POE AVE AMES IA 50014-8031

Renewal: No

Start Date: 18-Jul-2025

End Date: 30-Jun-2026

License Fee: 1,500.00

Types of Sales: Over the Counter

Type of Establishment: Convenience store/gas station, Liquor store, Tobacco store

Does this retail location ensure that no person younger than 21 years of age is present or permitted to enter at any time?: No

Does this retail location provide an age-restricted area and ensure that no devices are visible to those under 21 years of age?: Yes

Corporate Officers

<u>Title</u>	<u>Name</u>	<u>Address</u>
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	Authorized Individual BUTT, ADIL RASOOL	1014 POE AVE AMES IA 50014-8031
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Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Does this retailer hold a valid retail tobacco permit at this location?

Does this retailer hold a valid retail tobacco permit at this location?

YesNo

Select a Decision

Select a Decision

ApproveDeny