

**FACT SHEET**

**CITY OF SHREVEPORT, LOUISIANA**

**TITLE**

An ordinance to amend Chapter 50, Article V of the City of Shreveport, Louisiana, Code of Ordinances relative to the Smokefree Air Act and to otherwise provide with respect thereto.

**DATE**

May 26, 2020

**ORIGINATING DEPARTMENT**

**COUNCIL DISTRICT**

City-wide

**SPONSORS**

Councilmen John Nickelson and Grayson Boucher

**PURPOSE**

This ordinance amends Chapter 50, Article V of the Code of Ordinances.

**BACKGROUND INFORMATION**

This ordinance provides updates regarding electronic smoking devices and vapes. It also prohibits smoking in any park or playground as well as bars (exception for hookah bars, cigar bars, and bars in or operated by casinos or gaming operations).

**TIMETABLE**

Introduction: May 26, 2020  
 Final Passage: June 9, 2020

**ATTACHMENTS**

Exhibit A – Redline of Smokefree Air Act

**SPECIAL PROCEDURAL REQUIREMENTS**

NA

**FINANCES**

NA

**SOURCE OF FUNDS**

NA

**ALTERNATIVES**

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

**RECOMMENDATION**

The sponsors recommend that the City Council adopt this ordinance.

**FACT SHEET PREPARED BY:** Danielle A. Farr Ewing,  
 Deputy Clerk of Council

ORDINANCE NO. \_\_\_\_\_ OF 2020

**AN ORDINANCE TO AMEND CHAPTER 50, ARTICLE V OF THE CITY OF SHREVEPORT, LOUISIANA, CODE OF ORDINANCES RELATIVE TO THE SMOKEFREE AIR ACT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY COUNCILMEMBERS: JOHN NICKELSON AND GRAYSON BOUCHER**

**NOW THEREFOR, BE IT ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Chapter 50, Article V, be amended to read as follows:

**ARTICLE V. - SMOKEFREE AIR ACT**

Sec. 50-211. - Definitions.

*[Add the following definitions]*

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*Cigar bar* means a bar, as defined in this section, legally in operation, that generated twenty (20%) percent or more of its total annual gross income from the on-site sale of cigars and the rental of humidors, not including sales from vending machines, for the calendar year ending December 31, 2019, if the Cigar bar was then operating, and every year thereafter. If the Cigar bar was not operating as of December 31, 2019, a Cigar bar will have six months from the date it opens to establish that twenty percent (20%) or more of its total annual gross income is from the on-site sale of cigars and the rental of humidors, not including sales from vending machines.

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*Electronic smoking device* means any product containing or delivering nicotine or any other substance intended for human consumption through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, ehookah, or vape pen, or under any other product name or descriptor.

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*Electronic smoking device business* means a business establishment in which the primary activity is the sale, manufacture, or promotion of electronic smoking device products and accessories either at wholesale or retail, and in which the sale, manufacture or promotion of other products is merely incidental.

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*Hookah* means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.

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*Hookah bar* means a bar, as defined in this section, legally in operation that generated at least twenty (20%) percent or more of its total annual gross income from on-site retail sales of shisha for consumption in hookahs and the sale of accessories used for smoking shisha for the calendar year ending December 31, 2019, if then in operation, and every year thereafter. If the Hookah bar was not in operation on December 31, 2019, it will have six months from the date it opens to establish that at least twenty percent (20%) of its total annual gross income is from the on-site retail sales of shisha for consumption in hookahs and the sale of accessories used for smoking shisha.

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*Vaping* means the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

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[Amend the below definition to read as follows:]

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*Smoking* means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted combustible plant material. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

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Sec. 50-212. - General smoking prohibitions; exemptions.

(a) Except as permitted by subsection (b), no person shall:

- (1) Smoke or vape in any public building.
- (2) Smoke or vape in any school.

(3) Smoke or vape in any public place and in any enclosed area within a place of employment.

(4) Smoke or vape within 25 feet of the entrance or exit to any building or facility occupied or operated by the city or any of its agencies, or a building or facility occupied or operated by the parish or any of its agencies within the city.

(5) As an employer, knowingly permit smoking or vaping in any enclosed area within a place of employment.

(6) Smoke or vape in any taxicab or other vehicle for hire required to be licensed by the city under chapter 102, except a limousine under private hire.

(7) Smoke or vape in any playground or park.

(8) Smoke or vape in any bar.

(b) Nothing in this article shall prohibit smoking in any of the following places:

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(5) Cigar or Hookah bars.

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(16) Any electronic smoking device business including but not limited to retail, wholesale, and manufacturing facilities primarily engaged in the sales of electronic smoking devices or their components.

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**BE IT FURTHER ORDAINED** that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all Ordinances or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

**THUS DONE AND ORDAINED** by the City Council of the City of Shreveport, Louisiana.

**APPROVED AS TO LEGAL FORM:**

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City Attorney's Office