

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS, CITY COUNCIL, AMENDING THE LEON VALLEY CODE OF ORDINANCES, CHAPTER 6 HEALTH AND SAFETY, ARTICLE 6.05 SMOKING REGULATIONS TO INCORPORATE ELECTRONIC SMOKING DEVICES (ESDs); PROVIDING AN EFFECTIVE DATE OF THE REVISION WITH PUBLICATION, AS REQUIRED BY LAW, PROVIDING A SAVINGS CLAUSE; AND PROVIDING A CONFLICTS PROVISION.

WHEREAS, In 2014, electronic smoking devices (ESDs), such as e-cigarettes or vapes, entered the market, therefore, ESDs were not included in the 2008 version of Chapter 6 Health and Sanitation, Article 6.05 Smoking Regulations; and

WHEREAS, many tobacco and vaping products contain harmful chemicals, which can damage lungs and affect brain development, which can be especially troubling for young people; and

WHEREAS, In 2019, the 86th Texas Legislature passed Senate Bill 21, which increases the legal age for the purchase of cigarettes, e-cigarettes or tobacco products, from 18 to 21, including sale, distribution, possession, purchase, consumption, and receipt; and

WHEREAS, the City of Leon Valley wishes to not only adhere to State Law, but also protect the general public from noxious fumes from ESD's; and

WHEREAS, an amendment to the Leon Valley Smoking Regulations Ordinance benefits the community by prohibiting exposure to both secondhand smoke and the vapor from electronic smoking devices in public places;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

SECTION 1. That the Leon Valley Code of Ordinances, Chapter 6 Health and Safety, Article 6.05 Smoking Regulations is hereby repealed and replaced as stated in Exhibit A attached hereto.

SECTION 2. This ordinance shall become effective on and after its passage, approval and the meeting of all publication requirements as provided by law.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict. All provisions, sections and sub-sections set forth in the Leon Valley Code of Ordinances, Chapter 6 Health and Sanitation not revised or amended herein shall remain in effect.

d

2

0

2

5

APPROVED

CHRIS RILEY

MAYOR

Attest :

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

ARTURO ART RODRIGUEZ, JR.

City Attorney