

ORDINANCE NO. 2025-

AN ORDINANCE AMENDING THE CITY OF LEAGUE CITY CODE OF ORDINANCES, CHAPTER 54, ARTICLE III. SMOKING TO INCLUDE ELECTRONIC SMOKING DEVICES AND TO UPDATE VARIOUS SECTIONS, PROVIDING FOR CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That Section 54-61 (Definitions) shall be amended to include the definition of “Electronic Smoking Device” as follows:

Electronic Smoking Device means any device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine, THC, smoke, vapor, aerosol or other substances to the individual inhaling from the device. The term includes any such device, whether manufactured, distributed, marked, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, vape, vape pen, or under any other product name or descriptor. Including a component, part, or accessory for the device, regardless of whether such component, part, or accessory is sold separately from the device.

Section 2. That Section 54-61 (Definitions) shall be amended to update the definition of “Smoke or smoking” as follows:

Smoke or smoking means inhaling, exhaling, burning, holding or carrying lighted pipe, cigar or cigarette or other lighted smoking equipment that contains tobacco, weed, plant, or other combustible substance. This definition is intended to include the use of electronic smoking devices.

Section 3. That Section 54-64 (Reasonable distance) shall be amended as follows:

Sec. 54-64. Reasonable distance.

Smoking is prohibited within 25 feet of outside entrances, exits, or wheelchair ramps serving any entrance or exit, operable windows, and ventilation systems of enclosed areas where smoking is prohibited.

Section 4. That Section 54-68 (Violations and penalties) shall be amended to update subsection (1) as follows:

Sec. 54-68. Violations and penalties.

- (1) It shall be the duty of every person in control of an area where smoking is prohibited by the provisions of this article to request any person known to be smoking in such area to cease smoking, and if applicable, extinguish the burning substance.

Section 5. That Section 54-91 (Smoking prohibited) shall be amended as follows:

Sec. 54-91. Smoking prohibited.

It shall be unlawful for any person to be in possession of a burning tobacco product, or to smoke, in any city building or any city vehicle owned or leased by the city.

Section 6. That Section 54-93 (Facilities for extinguishing smoking materials required) is hereby repealed and amended as follows:

Sec. 54-93. Reserved.

Section 7. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 9. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 10. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 11. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective immediately upon passage.

PASSED first reading the _____ day of _____, 2025.

PASSED AND ADOPTED the _____ day of _____, 2025.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney