

ORDINANCE NO. 2025-O-

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING APPENDIX A, DEFINITIONS, OF THE LAND DEVELOPMENT CODE BY ESTABLISHING CIGAR LOUNGES AS THE ONLY SMOKING ESTABLISHMENT THAT IS ALLOWED TO SERVE ALCOHOL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes that establishments dedicated to the on-site smoking of tobacco or similar legal substances may create unique public health and ventilation considerations that warrant specialized regulation; and

WHEREAS, the City's existing definition of "smoking establishment" was intended to distinguish establishments primarily devoted to smoking activities, such as cigar lounges and hookah cafes, from bars, restaurants, and other establishments where smoking is not the principal activity; and

WHEREAS, Smoking Establishments consist of Cigar Lounges, hookah cafes, tobacco clubs, tobacco bars, and similar establishments; and

WHEREAS, the City Council therefore finds it necessary and appropriate to amend the definition of "Smoking Establishment" in the Land Development Code to expressly provide that only cigar lounges may offer alcoholic beverage service subject to the revenue limitations set forth in the ordinance.

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

Section 1. The City of Laredo Land Development Code, Appendix A, Definitions, is hereby amended as follows:

Smoking establishment - shall mean an establishment that is dedicated, in whole or in part, to the smoking of tobacco or other substances and includes any establishment that allows both: (1) the payment of consideration by a customer to the establishment in exchange for on-site delivery of tobacco, tobacco accessories or similar legal substances and products to the customer; and (2) the on-site smoking of tobacco or other substances. These establishments are required to have isolated HVAC systems to remove smoke and odors. This definition shall be construed to include establishments known variously as, cigar lounges, hookah cafes, tobacco clubs, tobacco bars, and similar establishments, but shall not include an establishment that derives fifty (50) percent or more of its gross revenue on a quarterly basis (i.e., three (3) months) from the sale of alcoholic beverages for on-premise consumption or food sales. However, only an establishment operating as a cigar lounge may permit the on-premise sale of alcoholic beverages, so long as the cigar lounge does not derive fifty (50) percent or more of its gross revenue on a quarterly basis from the sale of alcoholic beverages for on-premise consumption.

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of

such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. This Ordinance shall become effective immediately upon passage.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
_____ DAY OF _____ 2025.

DR. VICTOR D. TREVINO
MAYOR

ATTESTED:

MARIO MALDONADO, JR.
CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

DOANH "ZONE" T. NGUYEN
CITY ATTORNEY