

ORDINANCE NO. 2026-O-

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING CHAPTER 15, ARTICLE VI, SECTION 78, DEFINITIONS, OF THE CODE OF ORDINANCES, BY REDEFINING “BAR”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City seeks to align to definition of “Bar” in Chapter 15 of the Code of Ordinances with the definition of “Bar” listed in the Land Development Code; and

WHEREAS, it is necessary that there is consistency amongst all definitions within the codes that pertain to the City of Laredo.

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

Section 1. The City of Land Development Code, Chapter 15, Article VI, is hereby amended as follows:

15-78 Definitions

~~(1)[Bar means any area devoted to the serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food is only incidental to the serving of alcoholic beverages. Although a restaurant may contain a bar, the term “bar” shall not include the dining area.]~~

(1)Bar means an establishment whose primary business is the serving of alcoholic beverages for public consumption on the premises whether or not entertainment, dancing, or food items are also provided. For purposes of this definition, "primary business" means the establishment derives more than fifty percent (50%) of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code (as amended), for on-premises consumption. This definition does not include bona fide restaurants, hotels, motels, or sports related facilities such as golf courses, bowling alleys or sports arenas, or the serving of alcoholic beverages at publicly or privately sponsored events such as weddings, public celebrations, quinceañeras, or the like.

(2) *Business* means any sole proprietorship, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional offices where legal, medical, dental, engineering, architectural, or other professional services are delivered.

(3) *Child care facility* means any licensed nursery, day care center, preschool, or other facility engaged in the practice of providing care for children. A private residence is not a child care facility, except during those hours and in those portions of the residence when it is being used as a business for the purpose of providing care for children.

(4) *Dining area* means any area containing a counter, booths or tables upon which food is served.

(5) *Educational facility* means any day care center, nursery school, elementary school, middle school, junior high school, senior high school, vocational school, special education center, college or university.

(6) *Electronic smoking device (ESD)* means any electronic device that delivers vaporized or aerosolized substances to the user, including but not limited to e-cigarettes, e-cigars, e-hookahs, vape pens, and other similar devices, regardless of whether they contain nicotine or are marketed for the use of any substance.

(7) *Employee* means any person who is employed in consideration for monetary compensation or profit.

(8) *Employer* means any person, partnership, corporation, association or other entity that employs one or more persons.

(9) *Enclosed area* means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways) that extend from floor to ceiling where smoking is not permitted.

(10) *Health care facility* means any office or institution providing individual care or treatment of diseases, whether physical, mental or emotional, or other medical, physiological or psychological conditions.

(11) *Food establishment* means any area which prepares meals or serves food or beverages, regardless of whether or not the establishment provides seating or facilities for on-premises consumption. The term includes, but is not limited to: restaurants, coffee shops, cafeterias, short-order cafes, fast-food establishments, luncheonettes, lunchrooms, soda fountains, food carts, food-vending vehicles, and catering establishments but shall not include any portion of that establishment that constitutes a "bar".

(12) *Place of employment* means any enclosed indoor area under the control of the employer to which employees have access during the course of employment, including but not limited to work areas, employee lounges, employee restrooms, conference rooms, and employee cafeterias; as well as, a minimum of ten (10) feet from the entrance to the establishment. A private residence

is not a "place of employment" unless it is used as a child care or health care facility as defined herein.

(13) *Private place* means any enclosed area to which the public is not invited or in which the public is not permitted, including, but not limited to, personal residences, private social clubs or personal automobiles. A privately-owned business, open to the public, is not a "private place."

(14) *Public place* means any enclosed indoor area in which the public is permitted or that may be used by the general public and includes, but is not limited to, banks, stores, offices and other commercial establishments, restaurants, public and private institutions of higher education, and child care and health care facilities. A private residence is not a "public place".

(15) *Restaurant* means any coffee shop, cafeteria, food stand, private- and public-school cafeteria, and any other eating establishment that gives or offers for sale food to the public, guests or employees, except that the term "restaurant" shall not include a "bar" as defined herein.

(16) *Service line* means any indoor or outdoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

(17) *Smoking* means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant or other combustible substance in any manner or any form. Smoking also includes the use of electronic smoking devices (ESDs) as defined herein.

(18) *Sports arena* means any enclosed or unenclosed sports pavilion, gymnasium, health spa, swimming pool, roller or ice rink, bowling alley, boxing arena, tennis courts, and any other similar public place where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events, including, but not limited to, the following activities: baseball, football, basketball, hockey, soccer, tennis, boxing, swimming, wrestling, volleyball, gymnastics, handball, weightlifting, martial-arts-related sports, rodeo or track and field games.

(19) *Tobacco specialty retail shop* means any freestanding retail store or retail store equipped with a heat-ventilation-air conditioning system or contrivance for introducing fresh air or expelling foul air sufficient to keep adjoining businesses from being affected by smoke or its related odors utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

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 _____ 2026.**

**DR. VICTOR D. TREVINO
MAYOR**

ATTESTED:

**MARIO MALDONADO, JR.
CITY SECRETARY**

APPROVED AS TO FORM:

CITY ATTORNEY

**DOANH “ZONE” T. NGUYEN
ASSISTANT CITY ATTORNEY**