

**AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF
ORDINANCES APPENDIX A – ZONING TO ADD DEFINITIONS AND RESTRICT
THE SALE OF VAPE AND VAPE-RELATED PRODUCTS TO AN ACCESSORY USE
IN COMMUNITY BUSINESS DISTRICTS**

WHEREAS, electronic cigarettes are battery-operated devices that vaporize flavored liquid which typically contains nicotine; and

WHEREAS, stores specializing in the sale of e-cigarettes and related products are commonly referred to as vape shops; and

WHEREAS, a vape shop is considered a retail store or shop which is an allowable use in community business districts; and

WHEREAS, although state law bans e-cigarette sales to anyone under 18, vaping has become popular among teenagers; and

WHEREAS, the Mayor and Council of the City of Johns Creek, Georgia are charged with preserving the health, safety and welfare of the citizens of the City; and

WHEREAS, the City desires to amend the Code of Ordinances Appendix A – Zoning to add definitions and restrict the sale of vape and vape-related products to an accessory use in community business districts.

NOW THEREFORE, the Mayor and Council of the City of Johns Creek hereby ordains that Appendix A – Zoning, Article III Section 3.3 Definitions is amended to add definitions and Article IX Community Business Districts Sections 9.1.2(B) and 9.2.2(B) are amended to read as follows:

Section 3.3 – Definitions.

3.3.22. V.

Vape Shop means any business whose principal product line for retail sale is vape, vape-related products, or both. Principal means that vape, vape-related products, or both constitute at least twenty-five percent of the business's aggregate retail sales.

Vape or vape juice refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water, and can be used for vaping by means of an alternative nicotine product.

Vape-related products refers to any products or devices that employ an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine, synthetics, or illegal substances to the person inhaling from the device, including electronic cigarettes,

electronic cigars, electronic hookahs, electronic bongos and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, or electronic pipe.

Section 9.1.2(B) Accessory Uses [C-1 Community Business District]

Accessory Uses. Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation. Automobile and/or moving truck rental may be used in accessory only to an associated permitted use. Not more than 45 percent of the floor area of a building or land may be devoted to storage incidental to primary uses. Not more than twenty-five percent of the floor area of a building may be devoted to the sale or advertisement for sale of vape or vape-related products.

Section 9.2.2(B) Accessory Uses [C-2 Community Business District]

Accessory Uses. Structures and land may be used for uses customarily incidental to any permitted use and dwellings may be used for a home occupation. Not more than twenty-five percent of the floor area of a building may be devoted to the sale or advertisement for sale of vape or vape-related products.

SO ORDAINED, this the 22nd day of July, 2019.

Approved:



Michael E. Bodker, Mayor

Attest:


Joan C. Jones, City Clerk

Approve as to Form:



City Attorney

