

PERMITS CIGAR BARS
ORDINANCE NO.: 2010-025(a)

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-216, Definitions, to add "Bar", "Cigar bar" and "Cigarette", and to amend "Retail tobacco store"; and Sec. 8-218, Exceptions to amend (4) and to add (8)

BE IT ORDAINED by the Mayor and Council this ____ day of _____, 2010, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-216, Definitions, to add "Bar", "Cigar bar" and "Cigarette", and to amend "Retail tobacco store"; and Sec. 8-218, Exceptions to amend (4), and to add (8) to read as follows:

"Bar" shall mean an establishment that is licensed for and devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

"Cigar bar" means a bar that generates 35 percent or more of its annual gross income from the sale on the premises of cigars, tobacco products and related paraphernalia. A cigar bar's eligibility to operate as a cigar bar shall be determined on an annual basis by the City based upon information to be submitted by the business for the license required by Chapter 11, Article II of this Code, which must be verified by a certified public accountant.

"Cigarette" means any roll of tobacco wrapped or encased in paper or any substance other than tobacco.

Retail tobacco store means any establishment which is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, cigars, tobacco products and related paraphernalia, in which the sale of other products is merely incidental, and in which the entry of persons under the age of 18 is prohibited at all times. **The term does not include any establishment licensed for the on-premises consumption of beer, wine, or other alcoholic beverages.**

Sec. 8-218. Exceptions.

(4) Retail tobacco stores as defined herein, **provided that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this article.**

(8) Cigar bars as defined herein, and in which only the smoking of cigars and pipes is allowed.

Requested by:

Mayor and City Council _____

MAYOR

Approved by:

City Manager

Approved as to form:

ATTEST:

City Attorney

Introduced:
Final Reading:

City Clerk

LEGAL DEPARTMENT DRAFT