

ORDINANCE

25-03

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DUBLIN, GEORGIA, TO PROHIBIT THE ESTABLISHMENT OF NEW VAPE SHOPS WITHIN THE CORPORATE LIMITS OF THE CITY OF DUBLIN; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City Council of Dublin, Georgia, recognizes its authority under the Georgia Constitution and state law to regulate land use, business operations, and public health, safety, and welfare within its corporate limits; and

WHEREAS, the sale and use of vapor products, including electronic cigarettes, vape pens, and related paraphernalia have been associated with public health concerns, particularly among youth; and

WHEREAS, the proliferation of vape shops within the City has raised concerns about accessibility to minors, potential normalization of nicotine use, and the strain on community resources to enforce existing state and local regulations; and

WHEREAS, the City Council finds that prohibiting the establishment of new vape shops serves a legitimate public purpose by protecting the health and welfare of its residents, while allowing existing businesses to continue under current regulations; and

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN HEREBY ORDAIN AS FOLLOWS:

SECTION 1.

That the Code of Ordinances, City of Dublin, Georgia, is hereby amended by adding a section, to be numbered Section 12-156, of Article VI Recovery Residences, located within Chapter 12 Licenses, which reads as follows:

“Sec. 12-156 to 12-159 RESERVED.

That the Code of Ordinances, City of Dublin, Georgia, is hereby amended by adding an article, to be numbered Article VII, located within Chapter 12 Licenses, which reads as follows:

Article VII – Vape Shops Section 12-160. Title.

This article shall be known as the “Vape Shops Ordinance of the City of Dublin, Georgia.”

Section 12-161. DEFINITIONS for the purposes of this ordinance:

- "Vape Shop" shall mean any retail establishment where 25% or more of the floor space, inventory, or gross revenue is derived from the sale, display, or distribution of vapor products, including but not limited to electronic cigarettes, vape pens, e-liquids, or related accessories.
- "Vapor Product" shall mean any consumable vapor product or vapor device as defined by O.C.G.A. § 48-11-1(17) and (39), including any liquid solution or device intended to deliver nicotine or other substances via inhalation of an aerosol.

Section 12-162. PROHIBITION ON NEW VAPE SHOPS:

(a) No new vape shop shall be established, permitted, operated or licensed within the corporate limits of the City of Dublin after the effective date of this ordinance.

(b) This prohibition applies to the issuance of new occupational tax certificates, zoning approvals, and any other permits required for the operation of a vape shop.

Section 12-163. GRANDFATHERING OF EXISTING VAPE SHOPS:

(a) Any vape shop lawfully operating within the City of Dublin as of the effective date of this ordinance, with a valid occupational tax certificate issued pursuant to the Dublin Code of Ordinances, shall be permitted to continue operation as a nonconforming use.

(b) Such grandfathered status shall terminate if:

(1) The vape shop ceases operation for a period of 90 consecutive days;

(2) The ownership of the vape shop changes;

(3) The vape shop relocates to a different premises within the City; or

(4) The vape shop allows its business license to lapse or it is revoked for any reason.

(c) Grandfathered vape shops must comply with all existing and future state laws (e.g., O.C.G.A. § 16-12-171) and local regulations regarding the sale of vapor products.

Section 12-164. ENFORCEMENT AND PENALTIES:

(a) Violation of this ordinance shall be punishable as provided in Sec. 1-10 and 1-11 of the Dublin Code of Ordinances and/or revocation of applicable licenses or permits.

(b) The City Manager or his designee is authorized to enforce this ordinance, including inspections to verify compliance.”

SECTION 2.

SEVERABILITY: If any provision of this ordinance is found to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

EFFECTIVE DATE: This ordinance shall take effect immediately upon its adoption and publication as required by law.

REPEALER: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SO ORDAINED this 22nd day of May, 2025 by a vote of (5) FOR and (1) AGAINST.

CITY OF DUBLIN, GEORGIA:

By: [Signature]
Joshua E. Kight, Mayor

ATTEST:

[Signature]
Heather M. Browning, City Clerk

