

Attachment C: Summary of smoke shop regulations in other jurisdictions

How do other municipalities regulate smoke shops?

- Tempe – ¼ mile separation distance from all schools except instructional or vocational schools.
- Avondale – ¼ mile separation distance from other smoke shops, sexually oriented business, bar, night club, or wine bar.
- Phoenix – 500 foot separation distance from other smoke shops and ¼ mile separation from schools, parks, recreational center, place of worship, or shelter.

Example Definitions from other Jurisdictions

Tempe

https://library.municode.com/az/tempe/codes/zoning_and_development_code?nodeId=ZONING_DEVELOPMENT_CODE_PT7_DE_CH1_DE_S7-121TDE

Smoking establishment means any business or location that is dedicated, in whole or in part, to the use of tobacco or other substances emitting smoke, including but not limited to establishments also referred as cigar bars or lounges, hookah bars or lounges, and tobacco clubs or bars.

Tobacco retailer means any person or business who primarily sells or offers for sale, tobacco, tobacco products, or tobacco paraphernalia, or who distributes samples of tobacco products or paraphernalia. These businesses include but are not limited to, tobacco shops, cigars and pipe retailer, cigarette or electronic cigarette retailer, and smoking establishments.

Phoenix

https://www.phoenix.gov/pddsites/Documents/PZ/pdd_pz_pdf_00365.pdf

Tobacco Oriented Retailer: An establishment engaged in the sale and/or display of tobacco related products, including, but not limited to: cigarettes, chewing and dipping tobacco, cigarette papers, electronic nicotine delivery system, or any other instrument or paraphernalia for the smoking or ingestion of tobacco and products prepared from tobacco. This includes uses such as, but not limited to, a cigar store, head [shop](#), hookah lounge, or vape lounge. A tobacco oriented retailer must not include any establishment over 10,000 square feet in [gross floor area](#), or any establishment devoting less than five percent of its floor space to the sale/display of tobacco related products.