

ORDINANCE NO. O-2026-4

AN ORDINANCE TO AMEND THE SPRING CITY ZONING ORDINANCE BY
CREATING SECTION 9.14 TO REGULATE SMOKE SHOPS AND VAPE SHOPS
WITHIN THE CORPORATE LIMITS

SECTION 9.14

WHEREAS, TCA § 13-7-201 authorizes municipalities to regulate land use and zoning within their corporate limits; and

WHEREAS, in accordance with TCA § 13-7-203(a), an advertised public hearing was held prior to the adoption of this ordinance; and

WHEREAS, in accordance with TCA § 13-7-203(b), the Spring City Municipal Planning Commission reviewed and recommended the regulations contained herein to the Spring City Board of Commissioners; and

WHEREAS, the Board of Commissioners finds it necessary to establish reasonable location, licensing, and operational requirements for smoke shops and vape shops in order to protect family-oriented areas, maintain compatibility with surrounding land uses, and ensure consistent treatment comparable to existing beer and liquor regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Spring City, Tennessee that the Spring City Zoning Ordinance be amended by creating Section 9.14 as shown below.

Section 9.14 Smoke Shops/Vape Shops

SECTION 1: Definitions

For purposes of this ordinance, the following definitions shall apply:

Smoke Shop or Vape Shop: Any retail establishment whose primary business is the sale of tobacco products, vapor products, electronic cigarettes, alternative nicotine products, smoking paraphernalia, or related accessories. "Primary business" shall mean fifty percent (50%) or more of gross sales revenue derived from such products.

Sensitive Use: Any public or private school, daycare facility, church or place of worship, public park, playground, public library, residential zoning district, or other public facility regularly used by minors.
License: The permit issued by the Town of Spring City authorizing the operation of a smoke shop or vape shop.

Person: Any individual, partnership, limited liability company, corporation, or other legal entity.

SECTION 2: License Required

It shall be unlawful for any person to operate a smoke shop or vape shop within the corporate limits of Spring City without first obtaining a Smoke Shop/Vape Shop License from the City Recorder.

Applications shall be submitted on forms provided by the Town and shall include the following information:

1. Full legal name, address, and contact information of the applicant;
2. If the applicant is a partnership, limited liability company, or corporation, the names and addresses of all owners holding twenty percent (20%) or more ownership interest;
3. The physical address of the proposed business location;
4. Proof of lawful possession of the premises (deed or lease agreement);
5. A site plan showing property boundaries and distances to Sensitive Uses and other smoke shops or vape shops;
6. Government-issued photo identification for all required owners and the designated on-site manager;
7. Any additional documentation reasonably required by the Town to verify compliance with this ordinance.
- 8.

Licenses shall be issued annually and shall not be transferable.

A change in ownership, business entity, or location shall require submission of a new license application and full compliance with this ordinance.

Age Requirement for Licensure:

- a. No Smoke Shop/Vape Shop License shall be issued to any person under twenty-one (21) years of age.
- b. In the case of a partnership, limited liability company, or corporation, all owners holding twenty percent (20%) or more ownership interest shall be at least twenty-one (21) years of age.
- c. The designated on-site manager responsible for daily operations shall be at least twenty-one (21) years of age.

SECTION 3: Location Requirements

Smoke shops and vape shops shall comply with the following location standards:

No smoke shop or vape shop shall be located within five hundred (500) feet of any Sensitive Use, measured in a straight line from property line to property line.

No smoke shop or vape shop shall be located within one thousand (1,000) feet of another existing smoke shop or vape shop, measured in a straight line from property line to property line.

Smoke shops and vape shops shall not be permitted in residential zoning districts.

Smoke shops and vape shops may be permitted only in commercial zoning districts and shall comply with all zoning, building, fire, and site plan requirements applicable to that district.

Measurement of required distances shall be verified by the Town prior to issuance of a license.

SECTION 4: Operational Requirements

All licensed smoke shops and vape shops shall:

1. Comply with all applicable federal, state, and local laws regarding the sale of tobacco and nicotine products;
2. Prohibit the sale of tobacco, vapor, or nicotine products to persons under twenty-one (21) years of age;
3. Require valid government-issued identification for age verification;
4. Maintain all required state retail licenses and tax registrations;
5. Comply with all building, fire, and life safety codes;
6. Operate only within the approved licensed premises.
- 7.

Failure to comply with operational requirements shall constitute grounds for suspension or revocation of the license.

SECTION 5: Nonconforming Uses

Existing smoke shops or vape shops lawfully operating at the time of adoption of this ordinance that do not meet the location requirements herein shall be considered legal nonconforming uses and may continue to operate provided:

The business remains in continuous operation;

The ownership does not change; and

The business does not relocate.

Any change in ownership, business structure, or relocation shall require full compliance with this ordinance.

SECTION 6: Enforcement and Penalties

The City Recorder, Code Enforcement Officer, and Spring City Police Department shall enforce this ordinance.

Violation of any provision shall be grounds for suspension or revocation of the Smoke Shop/Vape Shop License and subject to penalties as provided by the Spring City Zoning Ordinance.

Prior to suspension or revocation, the license holder shall be provided written notice and an opportunity to be heard before the Board of Commissioners.

Each day a violation continues shall constitute a separate offense.

SECTION 7. Effective Date. This Ordinance shall take effect upon adoption.

ADOPTED by the Town Commissioners of the Town of Spring City, Tennessee, on this 7th day of May, 2026.

Recommended By the Planning Commission: March 12, 2026

Date Advertised: April 8, 2026

First Reading: April 2, 2026

Final Reading: May 7, 2026

Date of Public Hearing: May 7, 2026

TOWN OF SPRING CITY, TENNESSEE

Leon Locke 5-7-26
Leon Locke, Mayor Date

Brenda Dodson 5-7-26
Brenda Dodson, City Recorder Date