

ORDINANCE NO. 15-023

AN ORDINANCE amending certain provisions of the Camas Municipal Code relating to the definitions for land uses and commercial and industrial land uses.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

Section 18.03.030 – Definitions for Land Uses, of the Camas Municipal Code, is hereby amended to provide as follows:

18.03.030 – Definitions for Land Uses.

“E-cigarette” shall mean any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize a liquid solution, popularly referred to as “juice”, and that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice fall under the classification of tobacco products and tobacco paraphernalia.

“Smoke Shop/Head Shop” shall mean any premises where the primary use (fifty percent or more of the net floor area of a business) is dedicated to the display, sale, distributions, delivery, offerings, furnishing, or marketing of tobacco, tobacco products or tobacco paraphernalia.

“Tobacco Paraphernalia” shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco, tobacco products, marijuana, marijuana products, or other controlled substances as defined by the State of Washington. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

“Tobacco Product” shall mean any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the produce, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term “tobacco product” excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

Section II

Section 18.07.030 Table 1 – Commercial and Industrial Land Uses, of the Camas

Municipal Code, is hereby amended to provide as follows:

KEY: P = Permitted Use
 C = Conditional Use
 X = Prohibited Use
 T = Temporary Use

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
Commercial Uses									
Smoke Shop/Head Shop (9)	X	X	P	P	X	X	X	X	X

9. A) Must be sited a minimum 1000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or game arcade to which is not restricted to persons twenty-one years or older as defined in WAC 314-55-010 on June 20, 2015;

B) The business shall post clear signage in a conspicuous location near each public entrance stating no person under the age of 21 may enter the premises; and

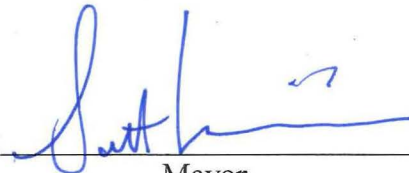
C) No Smoke Shop/Head Shop subject to this note shall be located within five (5) miles of an existing lawfully established Smoke Shop/Head Shop. All measurements under (A) and (C) shall be measured from the nearest property

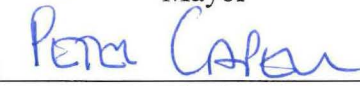
line of the property on which the use is proposed to the nearest property line of an existing business utilizing Clark County GIS.

Section III


This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 16th day of November, 2015.

SIGNED: 
Mayor

SIGNED: 
Clerk

APPROVED as to form:


City Attorney