

Ordinance No. 20260224A

City of Huntington

An ordinance of the City Council of the City of Huntington, Texas, pertaining to the use of Vaping, Retail Vaping Locations, Retail Vaping Stores, Vaping Items, and Vaping Supplies

Whereas, the Texas Health and Safety Code 161.082 grants municipalities the authority to regulate the sale of cigarettes, e-cigarettes, and tobacco products within city limits; and

Whereas, the National Institute of Health has conducted a study revealing that long-term use of electronic cigarettes or vaping products can significantly impair blood vessel function, increasing the risk of cardiovascular disease; and

Whereas, the City Council of the City of Huntington, Texas, has given extraordinary consideration to the public health, safety, and welfare of the residents of Huntington;

Now, therefore, be it ordained by the City Council of the City of Huntington, Texas:

Section I: Definitions

- (a) Electronic cigarette, (e-cigarette), means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device; or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device. The term "e-cigarette" includes every variation and type of such device whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, vaping device, or any other product name or descriptor, and any aerosol, liquid, or vapor used in such a device regardless of whether the device is manufactured, distributed, or sold as such; and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

- (b) Vaping means use of an electronic nicotine delivery system, (ENDS), for nicotine or other substances.
- (c) Vape shop or retail store means any commercial establishment selling any type of electronic nicotine delivery system, (ENDS), that derives more than fifty percent, (50%), of its annual gross sales from e-cigarettes, vaping products, vapes, vaping implements, or any accessories thereto.

Section II: Electronic cigarette, vape shop, and vape retail stores are allowed only in specified areas inside the city limits by special permit from the City of Huntington, and must be approved by either the City Code Enforcement Officer, Police Chief, or City Administrator.

Section III: The terms "retail store" and "retail shop" also include locations selling vape products in vending machines or from motorized vehicles.

Section IV: No electronic cigarette or vape retail store shall be located within one thousand feet, (1,000'), of a residential area, school, public park, healthcare center, daycare center, church, cemetery, sports facility, civic/community center, City Hall, or within one thousand feet, (1,000'), of another vape shop or retail store.

Section V: Any person, firm, or entity violating this ordinance or any provision of the ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding two thousand dollars, (\$2,000). Each continuing day's violation under this ordinance may constitute a separate offense.

Section VI: This ordinance shall be in full force and effect upon approval by the City Council of the City of Huntington, Texas.

Passed and approved by the City Council of the City of Huntington, Texas, at the regular monthly meeting on the 24th day of February, 2026.



Todd Ricks, Mayor

ATTEST:



Julie Davis, City Secretary

