

CITY OF LILBURN
STATE OF GEORGIA

RESOLUTION #2019-05

WHEREAS, O.C.G.A. § 36-35-3 authorizes each municipal corporation to adopt reasonable ordinances, resolutions or regulations relating to its property, affairs and the health, safety and welfare of its citizens; and

WHEREAS, the Charter of the City of Lilburn grants to the City all powers possible for a city to have under the present or future Constitution and laws of this State as fully and completely as though they were specifically enumerated in the Charter; and

WHEREAS, the City Council of the City of Lilburn desires to exercise this authority in adopting this Resolution; and

WHEREAS, the City Council finds that the proliferation of establishments for the primary purpose of the sale of alternative nicotine products requires the City to review and study possible regulations and legislation to address issues related to the operation and location of such establishments; and

WHEREAS, the City Council finds that it is in the public interest to impose a temporary moratorium on applications for licenses and permits to operate such establishments to review and consider the necessary regulations.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of Lilburn, Georgia that a moratorium be imposed barring the acceptance of license and permit applications for businesses which primarily sell alternative nicotine products in the City of Lilburn through and including July 8, 2019.

IT IS FURTHER RESOLVED for the purposes of this Resolution, “alternative nicotine products” shall mean an electronic product or device that employs an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical or mechanical means to produce a vapor that delivers nicotine to the person inhaling from the device, including e-cigarettes, e-cigars, and e-pipes, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar or e-pipe.

SO RESOLVED this 13th day of May, 2019.

Johnny D, Crist, Mayor
City of Lilburn

Attest:

Melissa L. Penate, City Clerk

Approved as to form:

Richard A. Carothers, City Attorney
Carothers & Mitchell, LLC