

Planning and Sustainability Department

Public Reminder Notice

May 4, 2018

Recently there has been an increase in the number of Hookah establishments throughout DeKalb and Metro Atlanta.

This is a reminder of the County's Clean Indoor Air ordinance, Chapter 16 Article VI, which prohibits the smoking of tobacco in all enclosed places that are open to the public. The ordinance specifically includes "restaurants" as a type of establishment where smoking is prohibited. However, the ordinance has exemptions including, but not limited to, "freestanding bars" and "retail tobacco stores" so the smoking of tobacco is allowed in these types of establishments.

For the purposes of this ordinance:

- A **restaurant** is defined in Code Section 16-102 as any establishment or area which is primarily devoted to the serving of food to the public or guest and which contains a dining area"
- A **"retail tobacco store"** is defined in Code Section 16-102 as a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental. For the purposes of this code, the department allows either on site or off site consumption.
- A **"freestanding bar"** is defined in Code Section 16-102 as an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises.

Please visit the Business License Office at 330 W. Ponce de Leon Avenue, 2nd Floor, Decatur to validate that your license reflects your current business operation and that you are in compliance with the County's Clean Indoor Air Ordinance. It is anticipated that enforcement of the ordinance will occur in upcoming weeks. Violations of this ordinance can result in the issuance of citations, suspension and/or revocation of licenses.

Please consult the DeKalb Clean Indoor Air Ordinance for the specific requirements and compliance. The ordinance is posted on the Planning & Sustainability Department's Website at: <https://www.dekalbcountyga.gov/planning-and-sustainability/planning-sustainability>