

ORDINANCE 25-07

AN ORDINANCE OF THE TOWNSHIP OF SUSQUEHANNA, COUNTY OF DAUPHIN, PENNSYLVANIA AMENDING THE SUSQUEHANNA TOWNSHIP ZONING ORDINANCE SPECIFICALLY BY AMENDNING SECTION 27-204 (ENTITLED “LIST OF DEFINITIONS”) TO ADD A NEW DEFINITION OF “SMOKE SHOPS AND TOBACCO STORES” AND “SMOKING LOUNGE”; BY AMENDING SECTIONS 27-1206 AND 27-1302 (ENTITLED “SPECIAL EXCEPTION USES”) BY THE ADDITION OF SMOKE SHOPS AND TOBACCO STORES AND SMOKING LOUNGES AS SPECIAL EXCEPTION USES IN THE CH – COMMERCIAL HIGHWAY ZONING DISTRICTS ; BY AMENDING PART 20 (ENTITLED “USE REGULATIONS”) BY ADDING A NEW SECTION 27-2052 (ENTITLED “SMOKE SHOPS AND TOBACCO STORES”) AND §27-2053 (ENTITLED “SMOKING LOUNGES”);AMENDING PART 23 (ENTITLED “OFF-STREET PARKING”) TO PROVIDE REQUIREMENTS FOR SMOKE SHOPS AND TOBACCO STORES AND SMOKING LOUNGES AND BY AMENDING PART 21 (ENTITLED “GENERAL REGULATIONS”) BY ADDING §27-2101.3 TO PROHIBIT THE PLACEMENT OF ACCESSORY STRUCTURES IN THE FRONT YARD

WHEREAS, the Board of Commissioners of the Township of Susquehanna, Dauphin County, Pennsylvania, under the powers vested in them by the “First Class Township Code” of Pennsylvania and the authority and procedures of the “Pennsylvania Municipalities Planning Code,” as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendment to the text of Chapter 27 (Zoning) of the Code of Ordinances of the Township of Susquehanna Township, Dauphin County, Pennsylvania; and

WHEREAS, the Board of Commissioners of the Township of Susquehanna desire to amend Chapter 27 (Zoning) of the Code of Ordinances of the Township of Susquehanna, Dauphin County, Pennsylvania by establishing requirements for smoke shops and tobacco stores and smoking lounges , as they believe it will enhance the health safety and welfare of the Township.

NOW, THEREFORE, be it enacted and ordained by the Board of Commissioners of the Township of Susquehanna, Dauphin County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

BE IT ENACTED AND ORDAINED by the Board of Commissioners of Susquehanna Township, Dauphin County, Pennsylvania, and it is hereby enacted and ordained by authority of the same.

Section 1: Chapter 27 (Zoning), Part 2 (Definitions), Section 27-204 (List of Definitions) of the Code of Ordinances of Susquehanna Township, is hereby amended as follows:

- A. To add a new definition, alphabetically, of ‘Smoke Shops and Tobacco Stores’ to read as follows:

SMOKE SHOPS AND TOBACCO STORES - A retail sales or wholesale establishment engaged in or marketed as selling tobacco, tobacco products/accessories, and/or vaping products and accessories. A retail sales establishment which maintains 10% or greater of its retail floor area as tobacco, tobacco products and/or accessories, and/or vaping products and accessories shall be considered a Smoke Shop and Tobacco Store for the purpose of this Chapter. For the purposes of this Chapter, a retail sales establishment which holds itself out as, or otherwise promotes or markets itself as, a tobacco store, a smoke shop, a vape shop, a cigar shop, or a similar establishment, shall also be considered a Smoke Shop and Tobacco Store for the purposes of this chapter.

- B. To add a new definition, alphabetically, of “Smoking Lounge” to read as follows:

SMOKING LOUNGE

An establishment where the smoking or sale of tobacco products is permitted. Examples of smoking lounges include, but are not limited to, cigar lounges, hookah lounges, vape lounges, tobacco clubs, tobacco bars, etc.

- C. To add a new definition, alphabetically, of “Tobacco Products” to read as follows:

TOBACCO PRODUCTS - Tobacco Products shall include, without limitation, any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff,

chewing tobacco or dipping tobacco, chewing tobacco, and related accessories, including, but not limited to, matches, lighters, grinders, hookahs, pipes, cigarette rolling machines or papers, ashtrays, pipe tools, pipe supplies and pipe accessories, and vaping products and accessories. Vaping Products and accessories include, without limitation, e -cigarette or vape cartridges or refills, vaporizers, vape pens, vapor products, hookah pens, electronic cigarettes, e -cigarettes, e- cigs, e -pipes, and any other electronic nicotine delivery system shall be deemed noncombustible Tobacco Products.

Section 2: Chapter 27 (Zoning), Part 12 (CH – Commercial Highway District), Section 27-1206 (Special Exception Uses) is hereby amended as follows:

A. A new section 1206.2 is provided for as follows:

2. Smoke Shops and Tobacco Stores, in accordance with §27-2052.

B. A new section 1206.3 is provided for as follows:

3. Smoking Lounges, in accordance with §27-2053.

Section 3: Chapter 27 (Zoning), Part 20 (Use Regulations) of the Code of Ordinances of Susquehanna Township is hereby amended to include a new Section 27-2052 to read as follows:

§27-2052 Smoke Shops and Tobacco Stores

1. Retail space in which customers are permitted shall not exceed 1,500 square feet in floor area.
2. Smoke Shops and Tobacco Stores shall not be located within 200 feet of any religious structure, public recreation facility, school facility, residential property, day care center or public library.
3. No minors shall be permitted to enter the premises unless accompanied by a parent or legal guardian, and no minors shall be employed at the premises. In addition, there shall be conspicuously posted signage stating that no minors shall enter without being accompanied by a parent or legal guardian.
4. No smoking shall be permitted on the premises at any time.
5. Window signs, including, but not limited to, cling film window signage, regardless of opacity, shall not exceed 10% of the window space.

6. Skill games or similar amusement devices shall not be permitted in any Smoke Shop and Tobacco Store.

Section 4: Chapter 27 (Zoning), Part 20 (Use Regulations) of the Code of Ordinances of Susquehanna Township is hereby amended to include a new Section 27-2053 to read as follows:

§27-2053 Smoking Lounges

1. Smoking Lounges shall not be located within 200 feet of any religious structure, public recreation facility, school facility, residential property, day care center or public library.
2. No minors shall be permitted to be on the premises of a Smoking Lounge. In addition, there shall be conspicuously posted signage stating that no minors are permitted to enter the facility.
3. Smoking Lounges shall provide adequate ventilation, in accordance with the International Mechanical Code, as adopted by the Township.
4. Window signs, including, but not limited to, cling film window signage, regardless of opacity, shall not exceed 10% of the window space.
5. All business-related activity, including smoking, shall be conducted entirely within a building. Outdoor seating, operating barbeques or braziers, and/or lighting coals or fires outdoors shall not be permitted.
6. Alcoholic beverages shall not be permitted to be brought onto the premises for on-premises consumption. The sale and service of alcohol shall comply with all federal, commonwealth, and local laws.

Section 5: Chapter 27 (Zoning), Part 23 (Off Street Parking), Section 27-2302 (Off-Street Parking Requirements), of the Code of Ordinances of Susquehanna Township is hereby amended to include subparagraph 2.R and 2.S to the Off-Street Parking Schedule to read as follows:

Category of Uses	Uses	Minimum Required Parking
2. Commercial/Office Uses	R. Smoke Shops and Tobacco Stores	1 space per 200 square feet of gross floor area
2. Commercial/Office Uses	S. Smoking Lounges	1 space for every 3 seats, or 1 space per 250 square feet of gross floor area, whichever is greater

Section 6: Chapter 27 (Zoning), Part 21 (General Regulations), Section 27-2101 (Accessory Structures), of the Code of Ordinances of Susquehanna Township is hereby amended to include subparagraph 3 to read as follows:

3. Except as otherwise provided in this Section 27-2101, no accessory structure shall be located in the front yard area.

Section 7: Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict. The Township reserves the right at any time by Ordinance to amend or otherwise modify or repeal this Ordinance.

Section 8: Severability. Should any section, subsection, paragraph, sentence, laws or phrase of this Ordinance be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance are hereby declared to be severable.

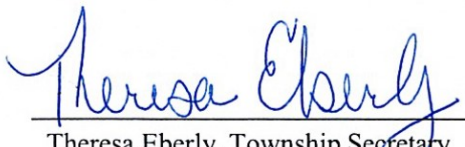
Section 9: Enactment. This Ordinance shall be effective five (5) days after the date of passage

THIS ORDINANCE IS HEREBY ENACTED AND ORDAINED this 11th day of Sept 2025 by the Susquehanna Township Board of Commissioners.

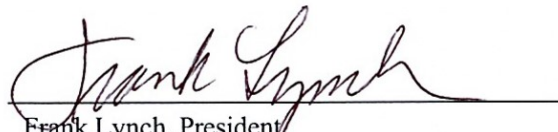
[SEAL]

ATTEST:

SUSQUEHANNA TOWNSHIP
BOARD OF COMMISSIONERS



Theresa Eberly, Township Secretary



Frank Lynch, President