

ORDINANCE NO. 20050609-005

AN ORDINANCE WAIVING THE ANNUAL RENEWAL FEE FOR CURRENTLY ISSUED SMOKING PERMITS; EXTENDING THE EXPIRATION DATE OF CURRENT PERMITS; AND CONTINUING RESTRICTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The council waives the 2005 annual renewal fee, due on or after June 1, 2005, for all currently issued restricted and unrestricted smoking permits.

PART 2. Except as provided in Part 3, the council extends the expiration date of all currently issued restricted and unrestricted smoking permits to August 31, 2005.

PART 3. Subject to the restrictions stated in Part 4, the council extends the expiration date of the restricted smoking permits issued to the operators of the following business premises to August 31, 2012:

- (1) Bennigan's, 13995 North U.S. Highway 183;
- (2) Cool River Café, 4001 West Parmer Lane;
- (3) Hooters, 13701 North U.S. Highway 183;
- (4) IHOP # 1421, 707 East Cesar Chavez Street;
- (5) Iron Cactus, 10001 Stonelake Boulevard;
- (6) Shoal Creek Saloon, 909 North Lamar Boulevard;
- (7) Trudy's Brodie Oaks, 4141 South Capitol of Texas Highway; and
- (8) Trudy's North Star, 8820 Burnet Road.

PART 4. The operator of a business premise with a permit authorized under Part 3 may permit smoking in a designated smoking area between 2:00 p.m. and 6:00 a.m. if:

- (1) the operator retains a restricted smoking permit;
- (2) no one under the age of 18 is admitted to the designated smoking area;
and

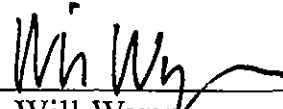
- (3) the designated smoking area is equipped with a separate, operational HVAC system designed to prevent smoke from entering a non-smoking area and is separate from a dining area and fully enclosed.

PART 5. This ordinance takes effect on June 20, 2005.

PASSED AND APPROVED

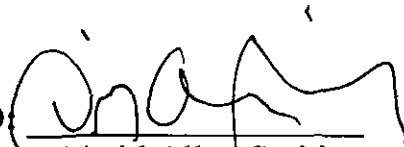
_____, June 9 _____, 2005

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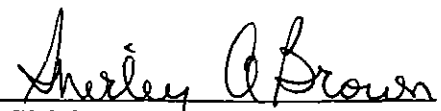
Will Wynne
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk