

**ORDINANCE NO. 46 OF 2023**

**AN ORDINANCE TO AMEND SECTION 50-212 OF ARTICLE V OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO THE SMOKEFREE AIR ACT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BY: COUNCILWOMAN TAYLOR AND COUNCILMAN BROOKS**

**BE IT FURTHER ORDAINED** by the City Council of the City of Shreveport, Louisiana, in due, regular and legal session convened, that Section 50-212 of Article V of the Code of Ordinances of the City of Shreveport relative to the Smoke-Free Air Act is hereby amended to read as follows:

Sec. 50-212. - General smoking prohibitions; exemptions.

(a) Except as permitted by subsection (b), no person shall:

- (1) Smoke in any public building.
- (2) Smoke in any school.
- (3) Smoke in any public place and in any enclosed area within a place of employment.
- (4) Smoke within 25 feet of the entrance or exit to any building or facility occupied or operated by the city or any of its agencies, or a building or facility occupied or operated by the parish or any of its agencies within the city.
- (5) Smoke on the property or grounds where any hospital, doctor's office, or medical facility is located up to and including all public sidewalks abutting said property or grounds.
- (6) As an employer, knowingly permit smoking in any enclosed area within a place of employment.
- (7) Smoke in any taxicab or other vehicle for hire required to be licensed by the city under chapter 102.
- (8) Smoke in any playground or park.
- (9) Smoke in any bar.
- (10) Smoke in any gambling facilities, except riverboats and land-based casinos as set forth in subsection (b).
- (11) Smoke in any hotel or motel.
- (12) Smoke in any private club.

(b) Nothing in this article shall prohibit smoking in any of the following places:

(1) Private homes, private residences, and private automobiles; except that this subsection shall not apply if any such home, residence, or vehicle is being used for childcare or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation in which case smoking is prohibited.

(2) Any retail tobacco business.

(3) Cigar or Hookah bars.

(4) Riverboats and land-based casinos provided smoking is prohibited on at least 25% of the floor area on which gambling operations are permitted within the riverboat or land-based casino.

(5) The outdoor area of places of employment, except as follows:

a. As provided in subsection (a)(4), and

b. Except that the owner or manager of such business may post signs prohibiting smoking in any such outdoor area, which shall have the effect of making that outdoor area an area in which smoking is prohibited under the provisions of this article.

**BE IT FURTHER ORDAINED** that Section 50-216 of Article V of the Code of Ordinances of the City of Shreveport relative to the Smoke-Free Air Act is hereby amended to read as follows:

Sec. 50-216. Effective date.

This article shall be effective August 8, 2020, except that the effective date for a gaming floor within a gambling facility and bars shall be August 1, 2021. In accordance with Sec. 50-212 (b)(4) for riverboats and land-based casinos, the effective date shall be June 1, 2023.

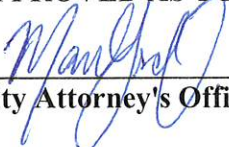
**BE IT FURTHER ORDAINED** that the remainder of Chapter 50, Article V of the Code of Ordinances shall remain unchanged and in full force and effect.

**BE IT FURTHER RESOLVED** that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of Section 4.23 of the Shreveport City Charter.

**APPROVED AS TO LEGAL FORM:**

  
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City Attorney's Office

**ORDINANCE NO. 46 OF 2023**

**May 9, 2023**

Read by title and as read motion by Councilwoman Taylor seconded by Councilman Jackson for Introduction

**May 23, 2023**

Having passed first reading on May 9, 2023 was read by title and on motion ordered passed to third reading. Read by title and as read motion by Councilwoman Taylor seconded by Councilman Green for adoption. Approved by the following vote: Ayes: Councilmembers Tabatha Taylor, Gary Brooks, James Green, and Ursula Bowman. 4. Nays: Councilmembers Jim Taliaferro and Grayson Boucher. 2. Absent: Councilman Alan Jackson. 1. Out of the Chamber: 0. Abstentions: 0.



James Green, Chairman

Approved:

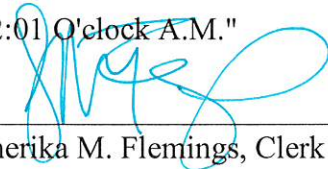
\_\_\_\_\_  
Tom Arceneaux, Mayor  
Submitted to the Mayor on May 26, 2023.  
Returned without being approved or  
disapproved

Approved by the City Council MAY 23 2023

(Deemed) Approved by the Mayor MAY 26 2023

And Effective on JUN 03 2023

at 12:01 O'clock A.M."



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Shanerika M. Flemings, Clerk of Council



CITY OF SHREVEPORT

MAYOR TOM ARCENEUX

**For Media Inquiries Only:**

Tari T. Bradford

**Senior Assistant**

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FOR IMMEDIATE RELEASE

Tom Arceneaux

**MAYOR**

06/1/2023

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**STATEMENT BY MAYOR TOM ARCENEUX REGARDING AMENDMENT TO  
SMOKE-FREE ORDINANCE**

Members of the Shreveport City Council introduced and, on Tuesday, May 23, the Council passed Ordinance 46 of 2023, which permits smoking in the gaming portions of Shreveport's casinos except for 25% of the gaming area. Ultimately, such decisions are legislative choices subject to a possible mayoral veto.

There are sufficient votes on the Council to override any veto of ordinance 46. Considering that, I have determined not to veto the legislation. However, I will not sign it. Section 4.21 of the City Charter provides that if I do not sign or veto legislation within seven days after it is submitted to me by the Council, it becomes law without my signature. That is the option that I will use for Ordinance 46.

The opponents of Ordinance 46 presented compelling testimony about the health dangers of second-hand smoke. Particularly moving was the testimony by a woman on oxygen who apparently contracted breathing difficulties while breathing second-hand smoke working at a casino. She had never been a smoker.

In addition, it is likely, at least for the present, that the non-smoking areas of the two Shreveport casinos will only include machines, not table games (poker, blackjack, and the like). Dealers and managers will have to choose between risk to their health from second-hand smoke and their livelihoods.

The Shreveport casinos complained that they felt at a competitive disadvantage because smoking is permitted at competing casinos on the east side of the Red River. Based on the City's revenues from the casinos, there was an immediate drop in casino

gaming revenue in the range of 35% when the ban went into effect (the drop from July to August, 2021). The numbers have not recovered, still being about 83% of pre-ban levels. However, based on my observation, neither casino has made any significant effort to avail itself of the competitive advantage of offering smoke-free gaming to the likely majority of gaming customers who do not smoke.

Now that Ordinance 46 will become effective, I have several expectations about the Shreveport riverfront casinos that I hope each will heed:

1. If prohibiting smoking was a substantial cause of decreased revenue, revenues should see an immediate and substantial increase. If not, the City should revisit the smoking issue.
2. The casinos should make significant investments in facilities and programming to make them competitive with the most successful casinos on the east side of Red River.
3. The casinos should insure that the non-smoking sections of the casinos have separate ventilation systems that reduce the impact of second-hand smoke on non-smoking patrons and employees.
4. The casinos should accommodate non-smoking employees who choose to work in the non-smoking areas of the casinos. I urge both casinos to arrange scheduling to accommodate non-smoking workers, rather than the other way around.
5. The casinos should ensure that the entrances to the non-smoking areas do not require patrons or employees seeking to play or work there to pass through smoking areas.
6. The casinos should make the same gaming options available in the non-smoking areas as the smoking areas for the benefit of both non-smoking patrons and non-smoking employees such as dealers and managers.

I believe the best long-term solution to address employee health and protection from the bad health effects of second-hand smoke in casinos is a statewide smoke-free statute. Failing that, the City hopes that appropriate governing authorities would make all the casinos on both sides of the Red River smoke-free. Governments could accomplish that by making each side's ordinance effective upon the adoption by the other of the smoking ban.

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