

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 26-23

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (RETAIL TOBACCO SHOPS); Title 4, Chapter 2, Article T

WHEREAS, the City of West Jordan ("City") adopted West Jordan City Code ("City Code") in 2009; and the City Council of the City ("Council" or "City Council") desires to amend Title 4, Chapter 2, Article T of the City Code ("proposed City Code amendments"); and

WHEREAS, the City Council desires to amend the City Code to reflect changes in State Law and to ensure that the City Code is more easily navigated and understood; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:


Section 1. Amendment of City Code Provision. City Code Title 2, Chapter 2, Article T, is amended as shown in Attachments 1 (Legislative Version) and 2 (Clean Version) to this Ordinance.

Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.


Section 4. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 14TH DAY OF APRIL 2026.

CITY OF WEST JORDAN

By: 
Bob Bedore
Council Chair

ATTEST:



Cindy M. Quick, MMC
Council Office Clerk

| Voting by the City Council | "YES" | "NO" |
|------------------------------------|-------------------------------------|--------------------------|
| Council Chair Bob Bedore | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Vice-Chair Jessica Wignall | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Member Annette Harris | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Member Zach Jacob | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Member Chad Lamb | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Member Kent Shelton | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Council Member Kayleen Whitelock | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

(continued on the following pages)

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON APRIL 21, 2026

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

 Apr 21, 2026
Date

ATTEST:

 
Tangee Sloan, MMC, UCC
City Recorder

STATEMENT OF APPROVAL/PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 26-23.

 The Mayor vetoed Ordinance No. 26-23 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

 Ordinance No. 26-23 became effective by operation of law without the Mayor's approval or disapproval.

 
Tangee Sloan, MMC, UCC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 23rd day of April 2026. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

 
Tangee Sloan, MMC, UCC
City Recorder

(Attachments on the following pages.)

**Attachments 1 and 2 to
ORDINANCE NO. 26-23
AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(RETAIL TOBACCO SHOPS);
Title 4, Chapter 2, Article T**

Attachment 1 – Title 4, Chapter 2, Article T - Legislative Version

Attachment 2 – Title 4, Chapter 2, Article T - Clean Version

(See the following pages for the attachments.)

1 TITLE 4
2 CHAPTER 2
3 ARTICLE T. TOBACCO SPECIALTY BUSINESSES

4 SECTION:

5 4-2T-1: [Definitions](#)

6 [4-2T-2: License Required](#)

7 ~~4-2T-23: [Spacing License](#) Requirements~~

8 ~~4-2T-3: [Special License Revocation](#)~~

9 4-2T-4: Preexisting Tobacco Specialty Businesses

10

11 4-2T-1: [DEFINITIONS:](#)

12 [All terms listed in this article shall use the definitions found in section 10-8-41.6 of the](#)
13 [State Code, or successor provision.](#)

14

15 [4-2T-2: LICENSE REQUIRED:](#)

16 It shall be unlawful to operate as a [retail](#) tobacco specialty business within the city without
17 first obtaining a valid city business license and a ~~city~~ [retail](#) tobacco specialty business
18 license. (Ord. 13-14, 3-27-2013)

19

20 ~~4-2T-23: [SPACING LICENSE](#) REQUIREMENTS:~~

21 A. ~~[Spacing Proximity](#) Requirements~~ ~~Enumerated:~~ A ~~city~~ [retail](#) tobacco specialty business
22 license ~~shall~~ [may](#) not be granted ~~to any tobacco specialty business~~ if such business is
23 located within:

24 1. ~~One thousand feet (1,000')~~ [1,000 feet](#) of a community location-;

25 2. ~~Six hundred feet (600')~~ [600 feet](#) of another [retail](#) tobacco specialty business-; or

26 3. ~~Six hundred feet (600')~~ [600 feet](#) from property used or zoned for:

27 a. Agriculture use; or

28 b. Residential use.

29 B. ~~Measurement Protocol:~~ For purposes of the spacing ~~provided in subsection A of this~~
30 ~~section~~ [requirements above](#), the proximity shall be measured in a straight line from the

31 nearest entrance of the tobacco specialty business to the nearest property boundary of any
32 other tobacco specialty business, community location , or agricultural or residential use,
33 without regard to intervening structures or zoning districts.

34 C. A retail tobacco specialty business license may not be granted until the person
35 provides the city with proof that the retail tobacco specialty business has:

36 1. a valid permit for a retail tobacco specialty business issued under Title 26B, Chapter
37 7, Part 5, Regulation of Smoking, Tobacco Products, and Nicotine Products, by the
38 local health department having jurisdiction over the area in which the retail tobacco
39 specialty business is located; and

40 2. (a) for a retailer that sells a tobacco product, a valid license issued by the State Tax
41 Commission in accordance with Section 59-14-201 or 59-14-301 to sell a tobacco
42 product; and

43 (b) for a retailer that sells an electronic cigarette product or a nicotine product, a
44 valid license issued by the State Tax Commission in accordance with Section 59-14-
45 803 to sell an electronic cigarette product or a nicotine product.

46 (Ord. 13-14, 3-27-2013)

47
48 ~~4-2T-3: SPECIAL LICENSE REVOCATION:~~

49 ~~In addition to the other grounds for license revocation provided in chapter 1 of this title,~~
50 ~~the city may revoke a tobacco specialty business license:~~

51 ~~—A. If a licensee engages in a pattern of unlawful activity under Utah Code title 76, chapter~~
52 ~~10, part 16, pattern of unlawful activity act; or~~

53 ~~—B. If a licensee violates the regulations restricting the sale and distribution of cigarettes~~
54 ~~and smokeless tobacco to protect children and adolescents issued by the United States food~~
55 ~~and drug administration, 21 CFR part 1140. (Ord. 13-14, 3-27-2013)~~

56
57 4-2T-4: PREEXISTING TOBACCO SPECIALTY BUSINESSES:

58 ~~A. Preexisting Tobacco Specialty Businesses Exempted: In accordance with subsection B~~
59 ~~of this section, a tobacco specialty business that has a city business license and is operating~~
60 ~~lawfully within the city on or before May 8, 2012, is exempt from section 4-2T-2 of this~~
61 ~~article.~~

62 ~~—B. Limitations On Exemption: A preexisting tobacco specialty business may maintain an~~
63 ~~exemption under subsection A of this section, if:~~

64 ~~—1. All required licenses are renewed continuously without lapse or revocation;~~

65 —2. ~~The tobacco specialty business is not closed or otherwise suspends the sale of~~
66 ~~tobacco products for more than sixty (60) consecutive days;~~

67 —3. ~~The tobacco specialty business does not substantially change the business premises~~
68 ~~or its business operation; and~~

69 —4. ~~The tobacco specialty business maintains the right to operate under the terms of~~
70 ~~other applicable laws, including zoning ordinances, building codes, and any business or~~
71 ~~county license issued prior to May 8, 2012.~~ A retail tobacco specialty business may be
72 exempt from the proximity requirements listed in section 4-2T-3(A) if they meet the
73 requirements of State Code section 10-8-41.6(7), or its successor provision. (Ord. 13-14, 3-
74 27-2013)

1 TITLE 4

2 CHAPTER 2

3 ARTICLE T. TOBACCO SPECIALTY BUSINESSES

4 SECTION:

5 4-2T-1: Definitions

6 4-2T-2: License Required

7 4-2T-3: License Requirements

8 4-2T-4: Preexisting Tobacco Specialty Businesses

9

10 4-2T-1: DEFINITIONS:

11 All terms listed in this article shall use the definitions found in section 10-8-41.6 of the
12 State Code, or successor provision.

13

14 4-2T-2: LICENSE REQUIRED:

15 It shall be unlawful to operate as a retail tobacco specialty business within the city without
16 first obtaining a valid city business license and a retail tobacco specialty business license.
17 (Ord. 13-14, 3-27-2013)

18

19 4-2T-3: LICENSE REQUIREMENTS:

20 A. Proximity Requirements: A retail tobacco specialty business license may not be
21 granted if such business is located within:

22 1. 1,000 feet of a community location;

23 2. 600 feet of another retail tobacco specialty business; or

24 3. 600 feet from property used or zoned for:

25 a. Agriculture use; or

26 b. Residential use.

27 B. For purposes of the spacing requirements above, the proximity shall be measured in a
28 straight line from the nearest entrance of the tobacco specialty business to the nearest
29 property boundary of any other tobacco specialty business, community location , or
30 agricultural or residential use, without regard to intervening structures or zoning districts.

31 C. A retail tobacco specialty business license may not be granted until the person
32 provides the city with proof that the retail tobacco specialty business has:

33 1. a valid permit for a retail tobacco specialty business issued under Title 26B, Chapter
34 7, Part 5, Regulation of Smoking, Tobacco Products, and Nicotine Products, by the
35 local health department having jurisdiction over the area in which the retail tobacco
36 specialty business is located; and

37 2. (a) for a retailer that sells a tobacco product, a valid license issued by the State Tax
38 Commission in accordance with Section 59-14-201 or 59-14-301 to sell a tobacco
39 product; and

40 (b) for a retailer that sells an electronic cigarette product or a nicotine product, a
41 valid license issued by the State Tax Commission in accordance with Section 59-14-
42 803 to sell an electronic cigarette product or a nicotine product.

43 (Ord. 13-14, 3-27-2013)

44

45 4-2T-4: PREEXISTING TOBACCO SPECIALTY BUSINESSES:

46 A retail tobacco specialty business may be exempt from the proximity requirements listed
47 in section 4-2T-3(A) if they meet the requirements of State Code section 10-8-41.6(7), or its
48 successor provision. (Ord. 13-14, 3-27-2013)











Ordinance No. 26-23 Amd Title 4, Ch 2, Art T Retail Tobacco Shops

Final Audit Report

2026-04-23


| | |
|-----------------|---|
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