

Alvarado SHS Ordinance Profile by Protection Level, Setting Details, and Enforcement and Penalties

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Alvarado	Population	4,289
County	Johnson	Public Health Region	3
History	Current	Passage Date	2/17/2014

PROTECTION LEVEL

SETTING

Municipal Worksites	100% Smoke Free	Bars – In Restaurants	Mixed
Private Sector Worksites	100% Smoke Free	Bars – Not in Restaurants	No coverage
Restaurants	100% Smoke Free		

*100% Smoke Free (5) - No smoking allowed in a particular setting; Moderate (4) - Designated smoking areas are allowed if separately ventilated; Mixed (3) - Coverage is partial due to exceptions, ambiguities, or legal issues; Limited (2) - Designated smoking areas allowed or required; No Coverage (1) - No restrictions on smoking. Minor exceptions may exist.

DEFINITION OF SMOKING

Smoking defined as: Cigar, cigarette, electronic or digital smoking device, pipe, any other lighted smoking material, equipment or device; smokeless tobacco, snuff or any other form of tobacco, which may be utilized for smoking, chewing, inhalation or other means of ingestion or absorption

SETTING DETAIL

BARS	In Restaurants	Not in Restaurants
Bars Defined by % of Sales of Alcohol	No	Yes
Age Restriction	No	No
Restriction for outdoor seating	No	No

If bars are stated, but no distinction made between bars located in restaurants and/or those not in restaurants, it is assumed that restrictions and/or exemptions apply equally to both.

WORKSITES	Municipal	Private
Exemption for minimum number of employees	Yes	Yes
Number of Employees	1	1
Non-retaliation	No	No
Non-smoker's rights	No	No
Written policy	No	No
Signage	Yes	Yes

RESTAURANTS	RADIUS FROM OUTSIDE DOORS	
Exemption for minimum seating	No	Exempt
Number of seats		Restriction
Signage	Yes	Distance in Feet
Restriction for outdoor seating	No	

ENFORCEMENT AND PENALTIES

ENFORCEMENT

Enforcement Authority: The director of the department designated by the city manager to enforce and administer this article

PENALTY	To Business	To Smoker
Penalty	No	No
Fine	No	No
Minimum/Maximum	\$0/\$0	\$0/\$0
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 nd Offense	\$0/\$0	\$0/\$0
Minimum/Maximum for 3 rd Offense	\$0/\$0	\$0/\$0
Minimum/Maximum for Subsequent Offenses	\$0/\$0	\$0/\$0
Other Penalties	No	No
Loss of License (business) or Violation Notice (smoker)	No	No
Criminal Charge	No	No
Increase in Other Penalties for Subsequent Offenses	No	No

NARRATIVE SUMMARY

Smoking is prohibited (100% smoke free) in municipal worksites, private worksites, and restaurants. Protection is mixed in bars in restaurants, with designated smoking areas allowed if separately ventilated. However, coverage is partial due to exceptions, ambiguities, or legal issues. No coverage is provided in bars not in restaurants. No penalties exist for violations. The director of the department designated by the city manager to enforce and administer this article is the enforcer.