

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

### INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

|              |           |                      |          |
|--------------|-----------|----------------------|----------|
| Municipality | Arlington | Population           | 365,438  |
| County       | Tarrant   | Public Health Region | 3        |
| History      | Current   | Passage Date         | 5/9/2017 |

### PROTECTION LEVEL

#### SETTING

|                          |                 |                           |                 |
|--------------------------|-----------------|---------------------------|-----------------|
| Municipal Worksites      | 100% Smoke Free | Bars – In Restaurants     | 100% Smoke Free |
| Private Sector Worksites | 100% Smoke Free | Bars – Not in Restaurants | 100% Smoke Free |
| 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, cheroot, stooge, snuff, smoking tobacco, chewing tobacco

### SETTING DETAIL

#### BARS

|                                       | In Restaurants | Not in Restaurants |
|---------------------------------------|----------------|--------------------|
| Bars Defined by % of Sales of Alcohol | No             | No                 |
| 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                           | Yes       | Yes     |
| Non-smoker's rights                       | No        | No      |
| Written policy                            | No        | No      |
| Signage                                   | Yes       | Yes     |

#### RESTAURANTS

|                                 |     | RADIUS FROM OUTSIDE DOORS |     |
|---------------------------------|-----|---------------------------|-----|
| Exemption for minimum seating   | No  | Exempt                    | No  |
| Number of seats                 |     | Restriction               | Yes |
| Signage                         | Yes | Distance in Feet          | 50  |
| Restriction for outdoor seating | No  |                           |     |

### ENFORCEMENT AND PENALTIES

#### ENFORCEMENT

Enforcement Authority:

#### PENALTY

|   | To Business   | To Smoker     |
|---|---------------|---------------|
| Penalty   | Yes           | Yes           |
| Fine  | Yes           | Yes           |
| Minimum/Maximum   | \$25/\$200    | \$25/\$200    |
| Increase for Subsequent Fine                            | Yes           | Yes           |
| Minimum/Maximum for 2 <sup>nd</sup> Offense             | \$50/\$500    | \$50/\$500    |
| Minimum/Maximum for 3 <sup>rd</sup> Offense             | \$100/\$2,000 | \$100/\$2,000 |
| Minimum/Maximum for Subsequent Offenses                 | \$100/\$2,000 | \$100/\$2,000 |
| Other Penalties   | Yes           | Yes           |
| Loss of License (business) or Violation Notice (smoker) | No            | No            |
| Criminal Charge   | Yes           | Yes           |
| Increase in Other Penalties for Subsequent Offenses     | No            | No            |

### NARRATIVE SUMMARY

Smoking is prohibited (100% smoke free) in municipal worksites, private worksites, restaurants, bars in restaurants, and bars not in restaurants. Fines up to \$2,000 exist for violations by businesses and smokers. No enforcer is named.