

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Aubrey	Population	2,595
County	Denton	Public Health Region	3
History	Current	Passage Date	2/18/2014

PROTECTION LEVEL

SETTING

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

*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, burning tobacco, weed, or other plant product

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	No	No
Number of Employees		
Non-retaliation	No	No
Non-smoker's rights	No	No
Written policy	No	No
Signage	No	No

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

ENFORCEMENT AND PENALTIES

ENFORCEMENT

Enforcement Authority: none

PENALTY	To Business	To Smoker
Penalty	Yes	Yes
Fine	Yes	Yes
Minimum/Maximum	\$10.00/\$200.00	\$10.00/\$200.00
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 nd Offense	\$10.00/\$200.00	\$10.00/\$200.00
Minimum/Maximum for 3 rd Offense	\$10.00/\$200.00	\$10.00/\$200.00
Minimum/Maximum for Subsequent Offenses	\$10.00/\$200.00	\$10.00/\$200.00
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. Coverage is limited in private worksites with designated smoking areas allowed or required. No coverage exists for restaurants, bars in restaurants, and bars not in restaurants. Fines up to \$200 exist for violations by businesses and smokers. No enforcers is named.