

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	DeSoto	Population	49,047
County	Dallas	Public Health Region	3
History	Current	Passage Date	9/1/2015
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.			
PROTECTION LEVEL			
BARS	In Restaurants		Not in Restaurants
Bars Defined by % of Sales of Alcohol	No		Yes
Age Restriction	No		Yes
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	Yes		Yes
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
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Health Officer, Business Representative, Private Individual		
PENALTY	To Business		To Smoker
Penalty	Yes		Yes
Fine	Yes		Yes
Minimum/Maximum	0/\$2,000.00		0/\$2,000.00
Increase for Subsequent Fine	No		No
Minimum/Maximum for 2 nd Offense	0/\$2,000.00		0/\$2,000.00
Minimum/Maximum for 3 rd Offense	0/\$2,000.00		0/\$2,000.00
Minimum/Maximum for Subsequent Offenses	0/\$2,000.00		0/\$2,000.00
Other Penalties	Yes		No
Loss of License (business) or Violation Notice (smoker)	Yes		No
Criminal Charge	Yes		No
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. Penalties and fines up to \$2,000 exist for violations by businesses and smokers. Health officers, business representatives, and private individuals are enforcers. By improving protections in municipal worksites, private worksites, restaurants, bars in restaurants, and bars not in restaurants, this ordinance is stronger than the one it replaces.			