

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Hempstead	Population	5,770
County	Waller	Public Health Region	6
History	Current	Passage Date	8/4/2014
PROTECTION LEVEL			
SETTING			
Municipal Worksites	100% Smoke Free	Bars – In Restaurants	100% Smoke Free
Private Sector Worksites	No Coverage	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.			
PROTECTION LEVEL			
BARS		In Restaurants	Not in Restaurants
Bars Defined by % of Sales of Alcohol		Yes	Yes
Age Restriction		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		Yes	Yes
RESTAURANTS		RADIUS FROM OUTSIDE DOORS	
Exemption for minimum seating	No	Exempt	No
Number of seats		Restriction	Yes
Signage	Yes	Distance in Feet	25
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Business Representative, Private Individual, Any city employee authorized to enforce municipal ordinances		
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		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, restaurants, and bars in restaurants. No protection is provided in private worksites or bars not in restaurants. Fines up to \$2,000 exist for violations by businesses and smokers. Business representatives, private individuals, and any city employee authorized to enforce municipal ordinances are enforcers. No record exists of a prior ordinance.			