

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Henderson	Population	13,712
County	Rusk	Public Health Region	4
History	Current	Passage Date	12/13/2016
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, electronic or digital smoking device, pipe, liquid nicotine			
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	30
Restriction for outdoor seating	No		
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Law officer, fire official, other city official, business representative		
PENALTY	To Business		To Smoker
Penalty	Yes		Yes
Fine	Yes		Yes
Minimum/Maximum	\$25/\$200		\$25/\$200
Increase for Subsequent Fine	No		No
Minimum/Maximum for 2 nd Offense	\$50/\$500		\$50/\$500
Minimum/Maximum for 3 rd Offense	\$100/\$1000		\$100/\$1000
Minimum/Maximum for Subsequent Offenses	\$100/\$1000		\$100/\$1000
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 \$1000 and other penalties exist for violations by businesses and smokers. Law officers, fire officials, other city officials, business representatives are enforcers.			