

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Hickory Creek	Population	3,247
County	Denton	Public Health Region	3
History	Current	Passage Date	3/18/2014
PROTECTION LEVEL			
SETTING			
Municipal Worksites	100% Smoke Free	Bars – In Restaurants	No coverage
Private Sector Worksites	No coverage	Bars – Not in Restaurants	No coverage
Restaurants	Mixed		
*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		No
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	Yes		No
Signage	No		No
RESTAURANTS	RADIUS FROM OUTSIDE DOORS		
Exemption for minimum seating	No	Exempt	No
Number of seats		Restriction	Yes
Signage	No	Distance in Feet	20
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Law Officer, Other City official, Business representative, Private individual		
PENALTY	To Business		To Smoker
Penalty	Yes		Yes
Fine	Yes		Yes
Minimum/Maximum	0/\$500.00		0/\$500.00
Increase for Subsequent Fine	No		No
Minimum/Maximum for 2 <sup>nd</sup> Offense	0/\$500.00		0/\$500.00
Minimum/Maximum for 3 <sup>rd</sup> Offense	0/\$500.00		0/\$500.00
Minimum/Maximum for Subsequent Offenses	0/\$500.00		0/\$500.00
Other Penalties	No		Yes
Loss of License (business) or Violation Notice (smoker)	No		No
Criminal Charge	No		Yes
Increase in Other Penalties for Subsequent Offenses	No		No
NARRATIVE SUMMARY			
Smoking is prohibited (100% smoke free) in municipal worksites. Protection is mixed in restaurants, with partial coverage due to exceptions, ambiguities, or legal issues. No protection is provided in bars in restaurants and bars not in restaurants. Fines up to \$500 exist for violations by businesses. Penalties and fines up to \$500 exist for violations by smokers. Law officers, other city officials, business representatives, and private individuals are enforcers. No record exists of a prior ordinance.			