

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

### INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Kyle	Population	34,000
County	Hays	Public Health Region	7
History	Repealed	Passage Date	5/17/2011

### PROTECTION LEVEL

#### SETTING

Municipal Worksites	No coverage	Bars – In Restaurants	No coverage
Private Sector Worksites	No coverage	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:

#### 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	No	Yes
Fine	No	No
Minimum/Maximum	\$0/\$0	\$0/\$0
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 <sup>nd</sup> Offense	\$0/\$0	\$0/\$0
Minimum/Maximum for 3 <sup>rd</sup> Offense	\$0/\$0	\$0/\$0
Minimum/Maximum for Subsequent Offenses	\$0/\$0	\$0/\$0
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

No coverage exists for municipal worksites, private worksites, restaurants, bars in restaurants, and bars not in restaurants. Smoking or tobacco use is prohibited at the city pool complex. Penalties exist for violations by smokers. No enforcer is named.