

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Oak Point	Population	2,786
County	Denton	Public Health Region	3
History	Current	Passage Date	4/18/2005

PROTECTION LEVEL

SETTING

Municipal Worksites	Mixed	Bars – In Restaurants	Moderate
Private Sector Worksites	No coverage	Bars – Not in Restaurants	Moderate
Restaurants	Moderate		

*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, pipe

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	Yes	No

RESTAURANTS

		RADIUS FROM OUTSIDE DOORS
Exemption for minimum seating	No	Exempt
Number of seats		Restriction
Signage	Yes	Distance in Feet
Restriction for outdoor seating	No	

ENFORCEMENT AND PENALTIES

ENFORCEMENT

Enforcement Authority: Other city official

PENALTY	To Business	To Smoker
Penalty	Yes	Yes
Fine	Yes	Yes
Minimum/Maximum	\$0/\$2,000	\$0/\$2,000
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 nd Offense	\$0/\$2,000	\$0/\$2,000
Minimum/Maximum for 3 rd Offense	\$0/\$2,000	\$0/\$2,000
Minimum/Maximum for Subsequent Offenses	\$0/\$2,000	\$0/\$2,000
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

Protection is moderate in restaurants, bars in restaurants, and bars not in restaurants with designated smoking areas allowed if separately ventilated. Protection is mixed in municipal worksites, with designated smoking areas allowed if separately ventilated, but coverage is partial due to exceptions, ambiguities, or legal issues. No protection is provided in private worksites. Fines up to \$2000 and other penalties exist for violations by businesses and smokers. City officials are enforcers.