

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Palmhurst	Population	2,607
County	Hidalgo	Public Health Region	11
History	Current	Passage Date	5/31/2017

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, lighted or heated tobacco, nicotine, or plant product

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	25
Restriction for outdoor seating	No		

ENFORCEMENT AND PENALTIES

ENFORCEMENT

Enforcement Authority: Law officer, fire official, other city official, business representative, private individual

PENALTY

	To Business	To Smoker
Penalty	Yes	Yes
Fine	Yes	Yes
Minimum/Maximum	\$0/\$200	\$0/\$200
Increase for Subsequent Fine	Yes	Yes
Minimum/Maximum for 2 nd Offense	\$0/\$500	\$0/\$500
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	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, private worksites, restaurants, bars in restaurants, and bars not in restaurants. Fines up to \$2,000 exist for violations by businesses and smokers. Law officers, fire officials, other city officials, business representatives, and private individuals are enforcers.