

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Port Arthur	Population	53,818
County	Jefferson	Public Health Region	5
History	Current	Passage Date	5/31/2016
PROTECTION LEVEL			
SETTING			
Municipal Worksites	100% Smoke Free	Bars – In Restaurants	100% Smoke Free
Private Sector Worksites	Mixed	Bars – Not in Restaurants	No Coverage
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.			
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	Yes		Yes
Non-smoker's rights	Yes		Yes
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
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Fire official, Health Officer, Other City official, Business Representative		
PENALTY	To Business		To Smoker
Penalty	Yes		Yes
Fine	Yes		Yes
Minimum/Maximum	0/\$100.00		0/\$50.00
Increase for Subsequent Fine	Yes		No
Minimum/Maximum for 2 nd Offense	0/\$200.00		0/\$50.00
Minimum/Maximum for 3 rd Offense	0/\$500.00		0/\$50.00
Minimum/Maximum for Subsequent Offenses	0/\$500.00		0/\$50.00
Other Penalties	Yes		No
Loss of License (business) or Violation Notice (smoker)	Yes		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, restaurants, and bars in restaurants. No protection is provided in private worksites and bars not in restaurants. Penalties and fines up to \$500 exist for violations by businesses. Fines up to \$50 exist for violations by smokers. Fire officials, health officers, other city officials, and business representatives are enforcers. By improving protections in restaurants and bars in restaurants, this ordinance is stronger than the one it replaces.			