

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Red Oak	Population	10769
County	Ellis	Public Health Region	3
History	Current	Passage Date	12/14/2015
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.			
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	Yes
Number of seats		Restriction	Yes
Signage	Yes	Distance in Feet	15
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority:	Law Officer, Fire official, Health Officer, Other City official, Business representative, Private Individual		
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	Yes
Loss of License (business) or Violation Notice (smoker)		Yes	No
Criminal Charge		Yes	Yes
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. Penalties and fines up to \$500 exist for violations by businesses. Penalties and fines up to \$50 exist for violations by smokers. Law officers, fire officials, health officers, other city officials, business representatives, and private individuals are enforcers. No record exists of a prior ordinance.			