

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	West Orange	Population	3,443
County	Orange	Public Health Region	5
History	Current	Passage Date	11/13/1995

PROTECTION LEVEL

SETTING

Municipal Worksites	Mixed	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: Any tobacco 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	No	No
Number of Employees		
Non-retaliation	No	No
Non-smoker’s rights	No	No
Written policy	No	No
Signage	Yes	Yes

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: None

PENALTY

	To Business	To Smoker
Penalty	No	Yes
Fine	No	Yes
Minimum/Maximum	\$0/\$0	\$10/\$200
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 nd Offense	\$0/\$0	\$10/\$200
Minimum/Maximum for 3 rd Offense	\$0/\$0	\$10/\$200
Minimum/Maximum for Subsequent Offenses	\$0/\$0	\$10/\$200
Other Penalties	No	Yes
Loss of License (business) or Violation Notice (smoker)	No	No
Criminal Charge	No	Yes
Increase in Other Penalties for Subsequent Offenses	No	No

NARRATIVE SUMMARY

Protection is mixed in municipal worksites, with designated smoking areas allowed if separately ventilated. However, coverage is partial due to exceptions, ambiguities, or legal issues. No protection is provided in private worksites, restaurants, bars in restaurants and bars not in restaurants. Fines and penalties exist for violations by smokers. No enforcer is named.