

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

### INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Anthony	Population	5,011
County	El Paso	Public Health Region	10
History	Current	Passage Date	10/23/2017

### 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, hookah, marijuana product (natural or synthetic), 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	Yes	Yes
Number of Employees	1	1
Non-retaliation	Yes	Yes
Non-smoker's rights	No	No
Written policy	Yes	Yes
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	20
Restriction for outdoor seating	No		

### ENFORCEMENT AND PENALTIES

#### ENFORCEMENT

Enforcement Authority: Law Officer, Fire Official, Health Officer, Business Representative, Private Individual, Environmental Services

#### PENALTY

	To Business	To Smoker
Penalty	Yes	Yes
Fine	Yes	Yes
Minimum/Maximum	\$0/\$100	\$0/\$100
Increase for Subsequent Fine	Yes	Yes
Minimum/Maximum for 2 <sup>nd</sup> Offense	\$0/\$200	\$0/\$200
Minimum/Maximum for 3 <sup>rd</sup> Offense	\$0/\$500	\$0/\$500
Minimum/Maximum for Subsequent Offenses	\$0/\$500	\$0/\$500
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 \$500 exist for violations by businesses and smokers. Law officers, Fire officials, Health officers, Business representatives, Private Individuals, and Environmental Services are enforcers.