

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND

Municipality	Bryan	Population	84,637
County	Brazos	Public Health Region	7
History	Current	Passage Date	2/27/2018

PROTECTION LEVEL

SETTING

Municipal Worksites	100% Smoke Free	Bars – In Restaurants	No coverage
Private Sector Worksites	No coverage	Bars – Not in Restaurants	No coverage
Restaurants	Mixed		

*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, pipe, any smoking equipment or device

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	Yes	Exempt	No
Number of seats	50	Restriction	Yes
Signage	Yes	Distance in Feet	20
Restriction for outdoor seating	No		

ENFORCEMENT AND PENALTIES

ENFORCEMENT

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

PENALTY

	To Business	To Smoker
Penalty	Yes	Yes
Fine	Yes	Yes
Minimum/Maximum	\$0/\$2,000	\$0/\$2,000
Increase for Subsequent Fine	No	No
Minimum/Maximum for 2 nd Offense	\$0/\$2,000	\$0/\$2,000
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	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

Smoking is prohibited (100% smoke free) in municipal worksites. Protection is partial in restaurants due to exceptions, ambiguities, or legal issues. No protection is provided in private worksites, bars in restaurants, and bars not in restaurants. Fines up to \$2,000 and other penalties exist for violations by businesses and smokers. Law officers, Fire officials, Health officers, Business representatives, and Private Individuals are enforcers.