

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

INDIVIDUAL MUNICIPALITY ORDINANCE BACKGROUND			
Municipality	Port Isabel	Population	5,006
County	Cameron	Public Health Region	11
History	Current	Passage Date	7/10/2018
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, pipe, water pipe or other device use to inhale powder, smoke or vapor, regardless of the substance			
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		Yes	Yes
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		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, 50
Restriction for outdoor seating	Yes		
ENFORCEMENT AND PENALTIES			
ENFORCEMENT			
Enforcement Authority: Law Officer, Fire Official, Health Officer, Other City Official, Business Representative, Private Individual, any authority having jurisdiction to enforce city ordinances			
PENALTY		To Business	To Smoker
Penalty		Yes	Yes
Fine		Yes	Yes
Minimum/Maximum		\$0/\$200	\$0/\$200
Increase for Subsequent Fine		Yes	Yes
Minimum/Maximum for 2 nd Offense		\$0/\$500	\$0/\$500
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	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 \$2,000 exist for violations by businesses and smokers. Law Officers, Fire Officials, Health Officers, Other City Officials, Business Representatives, Private Individuals, and any authority having jurisdiction to enforce city ordinances are enforcers.			