



CITY OF ENNIS

Smoking Ordinance

June 21, 2010

SMOKING PROHIBITED IN PUBLIC PLACES

- Smoking shall be prohibited in all public places within the city, including, but not limited to, the following places:

1. Elevators;
2. Restrooms, lobbies, reception areas, hallways and any other common-use areas;
3. Buses, bus terminals, taxicabs, train stations, airports and other facilities and means of public transit under the authority of the city; as well as ticket, boarding, and waiting areas of public transit depots;
4. Service lines;
5. Retail stores;
6. Food establishments, nightclubs and bars;
7. Galleries, libraries, and museums;
8. Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital, or other similar performance, except that performers may smoke when smoking is part of a stage performance;
9. Sports arenas and convention halls, including bowling facilities;
10. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of the city or any political subdivision of the state during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the city;
11. Waiting rooms, hallways, wards, and semiprivate rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices;
12. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, hotels, motels and other multiple-unit residential facilities;
13. Polling places.



SMOKING PROHIBITED IN PLACE OF EMPLOYMENT

- A person may not smoke in a place of employment.
- It is the responsibility of employers to provide a smoke-free workplace for all employees.



PROHIBITION OF SMOKING IN SEATING AREA AT AN OUTDOOR EVENT

- A person may not smoke in:
 - the seating area of an outdoor arena, stadium or amphitheater, or
 - bleachers or grandstands for use by spectators at a sporting or other public event.



REASONABLE DISTANCE; EXCEPTIONS

- A person may not smoke within a distance of 15 feet from a primary public pedestrian entrance to or an operable window of an enclosed area in which smoking is prohibited.
- Exceptions. A person may smoke within 15 feet of an entrance of an enclosed area where smoking is prohibited if:
 - the entrance is not a primary public pedestrian entrance to the premises; or
 - the distance between the entrance and the adjacent roadway is less than 15 feet

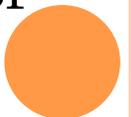


THE SMOKING ORDINANCE DOES NOT APPLY TO:

- A private residence, except when used as a child-care, adult day-care or health care facility;
 - A hotel or motel room rented to a guest and designated as a smoking room;
 - (1) not more that 20 percent of rooms rented to guests in a hotel or motel are designated as smoking;
 - (2) all smoking rooms in the hotel or motel on the same floor are contiguous; and
 - (3) smoke from smoking rooms does not enter an area in which smoking is prohibited;
 - Outdoor places of employment.
 - Fraternal, religious and military veterans organizations who are nonprofit.
 - Private Clubs.
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POSTING OF SIGNS

- The owner, manager or other person having control of the building or other area where smoking is prohibited must have a conspicuously posted sign clearly stating that smoking is prohibited at each entrance and within the building or other areas where smoking is prohibited.
- Such “No Smoking” signs must have bold lettering of not less than one inch in height. The international “No Smoking” symbol may also be used (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with red bar across it).
- (C) All ashtrays and other smoking paraphernalia must be limited to facilities that is required for the enforcement of extinguishing of smoking materials in public places.



PENALTIES FOR VIOLATIONS

- Any person who violates any provision of this the smoking ordinance are guilty of a class “C” misdemeanor and will be punished by a fine not to exceed \$500.00; provided, however, that if a defendant has been previously convicted under this chapter, the defendant shall be fined an amount not less than \$50.00 nor more than \$500.00.
- Each offense will be considered a separate violation.

