

Blowing Smoking

Council coughs up crack-down on bogus 'outdoor' smoking areas.

Four years ago the City Council passed a public health measure prohibiting smoking in all public places and places of employment including bars and restaurants.

But city staff administering the ordinance then created a huge loophole. They allowed businesses to create new "outdoor" smoking areas that were enclosed by roofs and walls enclosing 75 percent of the sides, with screens often allowed on the remaining openings.

Within a few years, bars and restaurants established at least 40 such "outdoor" enclosures. The doctors and other public health advocates that pushed for the original smoking ban complained the new law had been subverted.

Last month council progressives narrowly voted to pursue changes in the law that would largely do away with the outdoor smoking enclosures and restore the law's original intent to protect employees and patrons from secondhand smoke.

The council voted 5-4 to require roofed outdoor smoking areas to be 75 percent open on the sides and unscreened. Mayor Kitty Piercy and Councilors Andrea Ortiz, David Kelly, Bonny Bettman and Betty Taylor voted to require existing structures to meet the new requirements within one year.

Councilors Gary Papé, Jennifer Solomon, Chris Pryor and George Poling opposed the public health measure, arguing that existing smoking areas should be exempt and that new structures should be only 50 percent enclosed on the sides.

Bettman said it was unfortunate the staff didn't follow the council's intent in 2001. "Right now the standard is if you've got a couple windows and open them, that's considered a smoking area."

But Papé questioned whether there was much of a problem, arguing that few had

there are children but opposes banning smoking in taverns. "It's legal."

Although it was proposed weeks earlier, Pryor complained that the 75 percent open requirement was "boom, out of the blue."

Councilor Poling argued for grandfathering in existing smoking areas. "I oppose the principal of making people change."

But Bettman said the city should "level the playing field" between new smoking areas and old areas and not grandfather in businesses.

The council majority did pass a measure providing \$15,000 worth of subsidized permit fees for businesses changing their existing structures within the one-year grace period.

Kelly pointed out that in some cases the

Ortiz agreed, "I would err on the side of safety."

Bettman said that many bar and tavern workers, some single moms risking their jobs, had come "courageously" forward in 2001 to call for the employee safety measure.

Business owners have long complained that the smoking ban would hurt their incomes and wasn't necessary. But Bettman said, "the medical experts have been very articulate and firm that secondhand smoke is a killer."

Secondhand smoke kills thousands of Americans each year, causing asthma, lung cancer, heart disease, bronchitis and other ailments, scientific studies have shown. The smoke contains more than 4,000 chemicals, including 69 known carcinogens such as formaldehyde, lead, arsenic, benzene, and radioactive polonium 210, according to the American Lung Association (ALA).

Independent, objective studies have repeatedly shown that anti-smoking laws don't hurt and may in fact help businesses. A recent report by the city of New York showed that since a new smoking ban went into effect, restaurant business receipts and employment increased and the ban was supported by most New Yorkers.

A 2004 Zagat survey polled 30,000 New York restaurant-goers and found, by a 6-1 margin, people said they were eating out more often because of the ban. Zagat reported, "The city's recent smoking ban, far from curbing restaurant traffic, has given it a major lift." **EW**

Secondhand smoke kills thousands of Americans each year, causing asthma, lung cancer, heart disease, bronchitis and other ailments, scientific studies have shown.

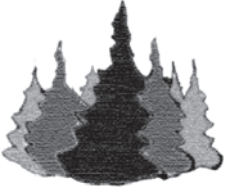
complained. Responding to complaints, the city has issued 30 compliance orders and 12 fines to bars and restaurants for failing to comply with the old rules since 2001.

Papé said, "I haven't seen any clear and convincing evidence" that there's a problem with secondhand smoke in the enclosed smoking areas. Papé said he'd like smoking banned in cars and homes where


businesses proposed for grandfathering had deliberately pursued loopholes to avoid the smoking ban. Kelly said he wasn't willing to "play Santa Claus endlessly" to such businesses.

Piercy said opening the smoking areas was needed. "We are being told by our county health department that we need to address this issue."

OREGON BIONEERS




2nd Annual Conference
"The Northwest Vision for Positive Change"
October 14-16, 2005
Lane Community College • Eugene, Oregon



Featuring a live satellite downlink of the 15 Bioneers plenary speakers including:
 Janine Benyus • Bill McKibben • Carolyn Raffensperger
 Thom Hartman • Michael Ableman • David Orr

Local Keynote Addresses by:
 Anthony Cortese: *Educating for Sustainability*
 Dick Roy: *Strategies for Deep Change*
 Jensine Larsen: *The Electric Pulse of Women and Youth Transforming our World*

Inspiring Local Workshops On:
 Eco-nomics, Women's Leadership, Health, Alternative Energy, Environmental Education, Food and Farming, Ecological Medicine, Youth Leadership & more



Starts daily at 8:30 am
Attend all 3 days for \$150, Students \$65
 Northwest contact and info: Sherisa@bridgingworldsnw.org
(541)-345-6919 www.bridgingworldsnw.org www.bioneers.org



As your attorney we advise you to get more tattoos.



Walk-ins always welcome!

Just off the U of O campus
525 E. 13th Ave

302 - 6714

23rd Annual Lane County

HOME IMPROVEMENT SHOW



October 13 - 16
 Lane County Fairgrounds

Free Admission
 Please bring canned food donations to help FOOD for Lane County

Where the Experts are!

Over 200 Home & Garden Exhibits!

Ideas & Products

See What's New!

Show Hours:
 Thursday & Friday 5pm-9pm
 Saturday 10am-9pm
 Sunday 10am-5pm

EugeneHomeShow.com
 a Berg Production