

Moscow smoking ban passes

- **July 21st, 2009**
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By David Johnson of the Tribune

No more lighting up for bar patrons; amendment to allow designated smoking rooms is dropped

MOSCOW - Members of the Moscow City Council voted unanimously Monday night to ban smoking in bars and private clubs.

The prohibition will go into effect probably within a couple of weeks, City Attorney Randy Fife said.

The ordinance will allow smoking outside bars and clubs in designated areas at least 20 feet away from main entrances. As part of the new ordinance, the 20-foot smoking ban for entrances will extend to all public buildings, including sidewalk cafe areas outside restaurants, Fife said.

The vote came after more than an hour of public testimony split about evenly between people in favor of or against the ban.

"The people in my family died for our rights to choice, and I think it's sad when somebody is going to take that away," said Phil Roderick, owner of CJ's bar. He was joined by several who said government had no right to regulate businesses to this extent.

"I'm deeply concerned that the council thinks that they have the right, and now is the time, to make such a bold move," said Mark Deleve, owner of the Third Street Market. "To me you are dramatically altering the structure in which these bar owners operate."

But those favoring the ban were just as vocal, arguing from the public health side of the issue.

"If I can spare one family from going through cancer, I will do it," said 26-year-old Katie Whittier of Moscow, who brought a poster with pictures of people in favor of the smoking ban. "It's a collection of people we met in the streets today. There are almost 100 photos here, and if we had more time, energy and resources, there would be more."

Council members appeared to be divided going into the meeting, especially after Councilor Bill Lambert moved for passage with an amendment taking away the option for bars to have isolated smoking rooms for patrons. Councilor John Weber proposed the smoking rooms as a possible "compromise."

But Councilor Dan Carscallen and the others didn't agree. "Having a non-smoking portion of a bar is like having a non-peeing part of a pool," Carscallen said.

"Some folks out there have a preconceived idea that we come up with stuff just to make life miserable," Lambert said, trying to explain how the smoking ban issue came before the council. "To me this is a public health issue. This has nothing to do with a personal right. If somebody lights up, all of a sudden the other guy's rights are gone."

Councilor Walter Steed said his vote in favor of the ban came with the welfare of college students in mind. "I'm told that college students largely don't smoke unless they go out for drinks with their friends, and I think we can make it harder for them to do that."

Councilor Wayne Krauss said he received more e-mails from people about the smoking ban than any other subject in his two years on the council. "It was 2-to-1 in favor of banning it," Krauss said, adding he also was aware of a petition with names of people opposed to the ban.

Idaho law already prohibits smoking in public buildings, except bars and clubs. The state law also allows for cities to impose additional restrictions. Smoking is already banned in Washington bars.

Bill Parks, owner of Northwest River Supplies in Moscow, was first to bring the smoking issue to the city's attention. He did not testify Monday night, but has said his action stemmed from public health concerns, especially for employees in bars.

"The whole issue here ... is to protect health from secondhand smoke," Councilor Tom Lamar said. "People who smoke can go outside to smoke, come back in, and continue to enjoy the bar."

"Well, I can count," Weber finally said, agreeing to drop his promotion of the designated smoking area.

Some adjustments, regarding fines and fees for violation of the ordinance, are still to be made. Once the document is completed, it needs to be published in the local newspaper of record before it goes into effect.

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