

Supporting Documentation Regarding Smoking Ordinances

There are several benefits and impacts associated with outdoor smoking policies. The following points are made in the staff report, and the appropriate resources are listed for reference.

1. Department of Health and Human Services lists tobacco-related illness as the leading cause of preventable death in the United States US Department of Health and Human Services, Centers for Disease Control and Prevention. Tobacco Use: The Nation's Leading Killer. 2011, p. 2. Available at:

www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf

2. Creating smokefree areas helps protect the health of the 86.9% of Californians who are nonsmokers

California Department of Public Health, News Release, State's Latest Tobacco Ads Debut. December 20, 2010.

Available at: www.cdph.ca.gov/Pages/NR10-099.aspx

3. Smoking cigarettes near building entryways can increase air pollution levels by more than two times as compared to background levels Kaufman P, Zhang, B, Bondy S, et al. "Not just 'a few wisps': real-time measurement of tobacco smoke at entrances to office buildings." Tobacco Control. Published Online First: 21 December 2010. doi:10.1136/tc.2010.041277. Abstract available at:

<http://tobaccocontrol.bmj.com/content/early/2010/12/21/tc.2010.041277.abstract>

4. Levels of second-hand smoke exposure outdoors can reach levels attained indoors depending on direction and amount of wind and number and proximity of smokers Klepeis NE, Ott WR, and Switzer P. Real-Time Monitoring of Outdoor Environmental Tobacco Smoke Concentrations: A Pilot Study. San Francisco: University of California, San Francisco and Stanford University, 2004, p. 80, 87. Available at: http://exposurescience.org/pub/reports/Outdoor_ETS_Final.pdf; see also Klepeis NE, Ott WR and Switzer P. "Real-Time Measurement of Outdoor Tobacco Smoke Particles." Journal of the Air & Waste Management Association, 57: 522-534, 2007. Available at:

www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf

5. There is evidence that smokefree legislation does not hurt restaurant or bar businesses. See the included letter from the City of Beverly Hills assessing the positive business and community response to their non-smoking ordinance.

6. Strong smoking regulations for restaurants decrease the number of children who transition from experimenting with smoking to becoming actual smokers Siegel M, Albers AB, Cheng DM, et al. "Local Restaurant Smoking Regulations and the Adolescent Smoking Initiation Process: Results of a Multilevel Contextual Analysis Among Massachusetts Youth." Archives of Pediatrics and Adolescent Medicine, 162(5): 477-483, 2008. Available at: <http://archpedi.amaassn.org/cgi/reprint/162/5/477.pdf>

7. It is estimated that Americans discard more than 175 million pounds of cigarette butts every year Surfrider Foundation, San Diego Chapter, Hold on to Your Butt, www.surfridersd.org/hotyb.php (last visited March 10, 2011).

8. Smoking bans help people reduce the number of cigarettes they smoke, or quit altogether Neighmond P. "Smoking Bans Help People Quit, Research Shows." National Public Radio, October 25, 2007, www.npr.org/templates/story/story.php?storyId=15610995

9. The Center for Disease Control notes that going smoke-free lowers the risk of fires and accidental injuries, which can reduce insurance costs Centers for Disease Control and Prevention. "Save Lives, Save Money: Make Your Business Smoke-Free." Atlanta, Georgia: U.S. Department of Health and Human Services, June 2006. http://www.cdc.gov/tobacco/basic_information/secondhand_smoke/guides/business/pdfs/save_lives_save_money.pdf



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No Butts About It: Beverly Hills Is Enjoying the Fresh Air

Assessment of non-smoking ordinance reveals positive consumer and business response

Beverly Hills, CA – The air has been cleared about the “90₂10 Fresh Air Dining” ordinance, which restricted smoking outdoors at Beverly Hills restaurants. An evaluation of the program illustrated an improved quality of life, as well as consistent quarter-over-quarter business results.

After almost six months of becoming law, the City received overwhelmingly positive feedback to the smoking ban. Patrons are appreciative that they don’t have to inhale second hand smoke while they dine and the ban has encouraged families with children and the elderly to frequent local restaurants. Through a proactive business outreach program, the City also found that most restaurants have witnessed minimal impact – if any – on their patronage, saying that their fourth quarter sales between 2006-2007 were not affected due to the ordinance. In fact, when adjusted for inflation, fourth quarter sales in 2007 were 6.86% higher than in 2006.

Beginning October 1, 2007, Beverly Hills expanded smoking restrictions in its restaurants to include outdoors, as well as within five feet of an open-air dining area. This included restaurants located in hotels. Hotels with pool areas where food and beverages are served could designate up to 25% of the deck area for smoking.

On behalf of the business community, the City maintained its commitment to area restaurants and hotels by implementing a three-month evaluation period, during which time the City tracked revenues to determine the financial impact of the smoking ban. Evaluations were based on data gathered from individual restaurant patrons, a restaurant survey, interviews with area hotels and sales comparisons. The City had also set up a telephone hotline and email address to receive comments and questions.

“The City Council’s overriding objective was to improve the health of the community without harming the City’s businesses or revenue stream. This goal set the stage for challenges that were successfully met with collaborative dialogue, stakeholder outreach and an innovative marketing campaign,” said Beverly Hills Mayor Barry Brucker.

While other cities in Southern California had already adopted restrictions on smoking in outdoor dining spaces, including Santa Monica, Calabasas, El Cajon and Belmont, the Beverly Hills ordinance was unique in its circumstances. Thousands of U.S. and international smokers visit Beverly Hills every year, and many are not accustomed to California smoking bans. The City of

Beverly Hills is now viewed as a groundbreaking municipality for successfully achieving balance between a critical public health issue and the need for vital tourist revenue. A result of this ordinance is that other cities are now following the City of Beverly Hills' model to promote their own outdoor smoking bans.

“Offering a fresh-air dining experience to our residents, visitors and neighbors throughout our region is one way that Beverly Hills can make a difference in the environment and for all who dine or shop in Beverly Hills,” said Mayor Brucker. “If we can help other cities successfully implement similar programs, we will show that a healthy environment and business success can go hand in hand.”

More information about fresh-air dining in Beverly Hills can be found on the City's website at www.beverlyhills.org.

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