

Mayor and council consider smoking ban

by Alec Harris
Staff Writer

A majority of Rockville's mayor and council members said they would seriously consider a law banning smoking in most public places, following a public hearing Monday on smoking.

Council members Steve Abrams and Jim Coyle, as well as Mayor Steve Van Grack, said they could support an ordinance more restrictive than the law recently passed by the county government. That law requires restaurants with more than 50 seats to have

non-smoking sections.

"I'm looking for us to craft something beyond the county, but not necessarily a total prohibition," Abrams said following the hearing. He said he believes smoking should be allowed in some

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instances, such as a catering hall or hotel restaurant.

Abrams added he plans to consult with officials from Beverly Hills, which recently passed a law banning smoking in all restaurants.

Said Coyle: "I'm open to going further than the county. Unless you have a total separation, you are really not making much of a difference."

At the hearing Monday, 11 residents testified for restricting smoking in restaurants, with most advocating a total ban. Only an official from the Tobacco Institute testified against a smoking ban.

Representatives of city restaurants, however, did not testify at the hearing.

Rockville resident John Gridley told the mayor and council that he should not be forced to subject himself to the unnecessary health hazards of secondary smoke.

"It has been said that your right to swing your fist ends where my nose begins," Gridley said. "That should be modified to say your right to blow disease-bearing smoke ends where my nose begins."

Gridley cited a report from the U.S. Surgeon General, which links environmentally transmitted smoke to cigarette-related illnesses such as emphysema, heart disease, and lung cancer.

"It is your duty as representatives of the city of Rockville to protect our health," Gridley told the mayor and council members.

Dr. Neil Bien, speaking for the American Lung Association, said that restaurant owners have been reluctant to voluntarily establish non-smoking sections. "If there is a reason for regulation, it is when voluntary regulations have failed," he said.

Resident William Meyer urged the city to "take a leadership role and out-do Montgomery County. Ban smoking in all restaurants."

But Bruce C. Bereano, an attorney representing the Tobacco Institute, said a smoking ban "is not a leadership position, it is an extremist position."

He said the evidence has not definitively linked secondary tobacco smoke to diseases. "In fact, if one takes the time to read the report, there is no conclusive evidence," Bereano said.

He added that a compromise requiring restaurants to establish non-smoking sections was "at best" the approach to take, and warned that restaurants would lose customers should the mayor and council enact more stringent legislation.

Coyle told Bereano, however, that the public health and safety of city residents was the overriding concern. "This issue is like the phoenix rising out of the ashes and it is not going to stop," he commented.

The mayor and council members will review any written testimony submitted to them before July 21. After that date, they will pass an ordinance on the issue.