

ITEM	10
MANAGER'S REPORT #	08
COUNCIL MEETING	96/03/11

TO: CITY MANAGER 1996 MARCH 06

FROM: MEDICAL HEALTH OFFICER

SUBJECT: 100% INDOOR AIR SMOKING BYLAW

PURPOSE: To provide Council with information on:

- a) the current status of the GVRD Regional Task Force;
- b) the current status of the proposed regional bylaw at lower mainland municipalities; and
- c) the economic impact of the smoking bylaw on restaurants in California.

**RECOMMENDATION:**

- 1. **THAT** this report be received for information purposes.

**REPORT**

**1.0 INTRODUCTION**

At the 1996 March 04 Council Meeting, representatives from the Lower Mainland Hospitality Industry Group and the B.C. Restaurant and Food Service Association appeared as delegations before Council to express their opinions regarding the proposed regional 100% Indoor Air Smoking Bylaw. Arising from the presentations, Council adopted a Motion requesting staff to prepare an information report on the said subject.

The following report provides Council with information on the current status of the GVRD Regional Task Force on the proposed regional bylaw and where each Lower Mainland municipality is at regarding this proposal. This report also summarizes findings of studies on the economic impact of smoking bylaws on restaurants in California.

**2.0 THE GVRD REGIONAL TASK FORCE ON 100% INDOOR AIR SMOKING BYLAW**

At a Council of Councils meeting in early December 1995, it was agreed that a regionally consistent approach to the indoor smoking issue is required. As a result, a Regional Task Force was formed with the objective of exploring the possibility of a regional bylaw and recommending such a model bylaw, through the Regional Administrators, back to the respective Councils. This Task Force is chaired by Mayor Greg Halsey-Brandt, Chair of the GVRD.

In mid January 1996, the Medical Health Officers and the Lower Mainland Hospitality Industry Group reached a consensus regarding the indoor smoking issue and developed a draft proposal. On 1996 January 24, the Metropolitan Board of Health endorsed the joint proposal and communicated the same to the Chair of the GVRD. The joint proposal along with the City of Vancouver draft bylaw were presented to the GVRD Task Force on 1996 February 07. A copy has been submitted to Council and staff under separate cover and may be obtained from the Clerk's Department or the Health Department. The general consensus at the meeting was that the proposal provides a good framework for a regionally consistent approach and should be taken back to the respective Councils for an indication of support in principle. A subsequent meeting of the GVRD Task Force will be held on 1996 March 13 to receive comments from the respective Councils and determine whether there is regional support for the draft bylaw.

### **3.0 CURRENT STATUS OF THE PROPOSED DRAFT BYLAW AT LOWER MAINLAND MUNICIPALITIES**

Staff contacted the other Lower Mainland jurisdictions with a representative on the Regional Task Force to determine the current status of the proposed regional bylaw. Information to date is as follows:

City of Coquitlam - rejected proposed regional bylaw and endorsed 100% ban on all establishments including pubs, bars, etc.

District of Delta - proposed regional bylaw to be discussed March 12.

Township of Langley - deferred motion on proposed regional bylaw until March 11.

District of Maple Ridge - proposed regional bylaw to be considered by Council Committee as a whole March 11.

City of New Westminster - supported the proposed regional bylaw but objected to individuals aged 16 to 18 years being allowed in bingo halls (thereby being exposed to second hand tobacco smoke).

City of Port Coquitlam - rejected proposed regional bylaw and no alternative position offered.

City of North Vancouver - proposed regional bylaw to be discussed March 11.

District of North Vancouver - proposed regional bylaw to be discussed March 11.

District of Pitt Meadows - supported proposed regional bylaw but preferred 100% ban if other regional jurisdictions would agree

City of Port Moody - supported proposed regional bylaw but preferred 100% ban if other regional jurisdictions would agree.

City of Surrey - Council endorsed 80% seating ban immediately, 100% ban in three years in all public premises. Further report to be received March 11.

City of Vancouver - will be voting March 12 on proposed regional bylaw.

Municipality of West Vancouver - proposed regional bylaw to be considered March 11.

City of White Rock - supported a bylaw that only permits smoking in adult premises that do not serve food (i.e. neighbourhood pubs would have 100% ban similar to restaurants).

To date none of the above jurisdictions have advanced the proposed Regional Smoking Bylaw (or a variation) to First Reading.

The City of Langley decided not to participate in the Regional Task Force.

#### **4.0 ECONOMIC IMPACT OF SMOKING BYLAWS ON RESTAURANTS IN CALIFORNIA**

A number of studies have been conducted to determine the impact of smoking bylaws on restaurant revenues in California. Findings of some of the studies are highlighted below.

1. In 1991, a study was conducted by the Claremont Institute for Economic Policy Studies for the California Department of Health Services, Tobacco Control Section on the impact of tobacco control ordinances on restaurant revenues in California. The study analyzed State Board of Equalization sales tax receipts for California cities with ordinances enacted before the end of 1991 requiring more than 50% of restaurant seating to be nonsmoking. The study found similar patterns of revenue changes in ordinance cities and in surrounding cities without ordinances. This indicated that these changes cannot be attributed to smoking restrictions.
2. In 1993, a study was carried out by the Taylor Consulting Group for the City of San Luis Obispo on the economic impact of the San Luis Obispo Smoking Ordinance on restaurants and bars. The study found that the smoking ordinance has had no measurable impact on the profitability of San Luis Obispo bars and restaurants, or on the sales tax revenues of the City Of San Luis Obispo. Furthermore, sales in neighbouring cities did not increase when the smoking ban was instituted in San Luis Obispo.

3. In 1994, a study was conducted by Stanton A. Glantz and Lisa R.A. Smith of the University of California, San Francisco, on the effect of ordinances requiring smoke-free restaurants on restaurant sales. The study analyzed California State Board of Equalization and Colorado State Department of Revenue taxable restaurant sales from 1986 through 1993 for all 15 cities where smoking ordinances were in force, as well as for 15 similar control cities without smoke-free ordinances during this period. The study concluded that smoke-free restaurant ordinances do not adversely affect restaurant sales.

#### 4.0 CONCLUSION

In December 1995 a GVRD Task Force was formed to explore the possibility of a regional smoking bylaw. In January 1996 the Medical Health Officers and the Lower Mainland Hospitality Group jointly developed a proposal to resolve the indoor smoking issue. This joint proposal was endorsed by the Metropolitan Board of Health on 1996 January 24 and presented to the GVRD Task Force on 1996 February 07. The GVRD Task Force agreed that the proposal provides a good framework for a regionally consistent approach and requested each Task Force member bring it back to the respective Councils for an indication of support in principle. A subsequent meeting of the Task Force has been scheduled for 1996 March 13 to receive feedback from the respective Councils and to determine whether there is regional support for the draft bylaw.



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cc: ( ) City Solicitor  
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