

QUESTION

Mayor Bandy,

In light of your recent proposal to amend Eagle City code Title 4 by adding Chapter 11 "Clean Indoor Air" I am sending you this link to an excellent article on the rights-violating nature of such bans.

As a resident of Eagle, I am concerned at the continued loss of liberty in our country at large and in our city in particular.

Does this not concern you? If so, why do you allow it to continue?

Regards,
Jason

ANSWER

Mr. Gibson,

I presume your argument goes something like this:

"Our society holds individuals responsible for the risks they take; including health risks. The right to smoke is the prerogative of all Americans to lead their own lives. Since the decision to smoke only harms oneself, not others, smoking should not be regulated. Smoking is a matter of personal choice and private risk, not of communal good or public policy."

I would argue that while Americans consider it an aspect of their individual freedom to assume personal risks, they have little tolerance for risks that others impose upon them.

Surgeon General C. Everett Koop's 1986 report, *The Health Consequences of Involuntary Smoking*, decisively portrayed second-hand smoke not just as an annoyance, but as a quantifiable health risk. Sustained exposure to second-hand smoke was equivalent to smoking about two cigarettes a day, a very moderate rate of cigarette consumption but one that nevertheless increased the risk of lung cancer and other diseases.

In the wake of a 1986 Surgeon General report on involuntary smoking, Congress in 1987 banned smoking on all domestic flights of two hours or less, extending the ban to all domestic flights two years later. In 1992 the Environmental Protection Agency placed passive smoke on its list of major carcinogens, making it subject to federal workplace and other regulations.

Grass-roots anti-smoking groups lobbied for the establishment of designated smoking areas in office buildings, restaurants, and sporting venues, and then for a general ban on smoking in public spaces. By the mid-1990s, more than 500 local communities and 40 states had enacted such measures.

The purpose of the proposed ordinance is to provide for breathable clean and smoke-free air to protect the health of residents and visitors, employees who work at public places, and non-smokers in Eagle, by prohibiting smoking in public places, public meetings, and places of employment. The ordinance does not prohibit smoking; it limits the location of the activity so as not to negatively impact non-smokers in public places.

Thank you for your question.

Sincerely,

Phil