

TO THE LOS ANGELES CITY COUNCIL  
COMMITTEE ON ARTS, PARKS, HEALTH AND AGING  
(September 3, 2008)

My name is Rich Perelman and while some of you know me from my service as a Vice President of the Los Angeles Olympic Organizing Committee in 1984, I am here today to oppose the proposed, unnecessary ordinances against smoking at Farmer's Markets and in outdoor dining sections of restaurants.

I am urging you to reject these proposals as unnecessary because they pose no threat to the public health and serve only to demonize smokers.

In the U.S. Surgeon General's 727-page report on the consequences of involuntary smoking issued in 2006, no recommendations were made concerning outdoor smoking restrictions. In fact, less than a single page in the entire report dealt with outdoor smoking; that report was concerned solely with the impact of indoor smoking. And there are no studies which demonstrate that transient encounters with outdoor smoking create any kind of health hazard.

Because there is no health threat in these outdoor settings, I submit that the City already has an ordinance which covers this issue in section 41.16 of the Municipal Code which reads, "No person shall throw, blow or otherwise scatter on any street, sidewalk, restaurant, cafe, theatre, place of amusement or other public place any snuff, or any substance which injuriously affects the olfactory nerves or which causes sneezing or coughing or otherwise injuriously affects the person."

While it is today fashionable to ban smoking almost everywhere, the proposed ordinance does not address a public health issue and will do nothing to reduce the incidence of smoking in Los Angeles. It does subject smokers, a minority in this community, to additional ridicule for consuming a legal product.

If the City were serious about trying to reduce smoking using Farmer's Markets or outdoor restaurant sections, it could be promoting smoker's help programs in these locations. If the City wishes to remove smokers from public view, then it must give them someplace to go which is out of public view.

But for the City to simply continue to ban smoking and then hope it will not have to enforce violations is bad policy and will make a bad law.

Best regards,



Richard B. Perelman  
President