WE'VE GOT THE POWER!

TO PASS LOCAL POLICIES TO IMPROVE COMMUNITY HEALTH

The Eugene Experience

Goal: Share Eugene Experience
Answer Questions Relating to the Following

- What steps should be taken to lay the ground work for local policy?
- How do you match community interests with required BPO's?
- How do you know when your community/coalition is mobilized for action?
- What steps can you take to assure that a sound policy will be passed?

Disclaimer

Every community is unique.

What worked in Eugene may not work in other communities, although the steps toward enactment of local policy would likely be similar.

Build Your Own "Capacity" First, Then Build Coalition/Partners

- What does the state and local data show?
- What is the history of tobacco control in your county? (Ballot Measure 44 – LCMS)
- Talk with other counties/coordinators who have had success, how did they do it? (Corvallis/Mult.)
- Rely on expertise at the state, but pursue outside education/training too (PHLC/ANR/NCOTH/TFK)

Assessment & Research

- Surveyed Eugene voters
  - (97%) it is important that the city keep stores in Eugene from selling tobacco products to minors.
  - 79% support smokefree workplaces, 70% including restaurants
  - 45% support smokefree bars (43% opposed)

Assessment & Research

- Surveyed food handlers
  - Some people left contact info = start of database of affected workers

- Surveyed food service businesses
  - 75% already smoke-free
  - 89% agree that all food service employees deserve to be protected from secondhand smoke in the workplace.
  - 59% would support local ordinance banning smoking in restaurants
  - 35% would support local ordinance banning smoking in bars

Building Eugene's Smokefree Workplace & RTL Campaign

Assessment & Research

- Researched Corvallis ordinance
- Researched City of Eugene ordinance adoption process
- Researched city councilors/political feasibility assessment
  - **Future Bans and Regulations**
    - Fining retailers? – 8 yes, 1 not sure
    - Ban smoking in restaurants? – 8 yes, 1 no
    - **Ban smoking in bars? – 6 yes, 2 no, 1 maybe**
    - License retailers? – 6 no, 1 yes, 2 not sure
    - Eliminate self-service? – 9 yes

Education/Outreach

- Scope of Ordinance - Determined by national research, local assessment data, opinions of key coalition members (doctors)
- Designed - Supportive presentation, fact sheet, endorsement materials, outreach plan (true believers first, then policy makers, lastly neutralize opposition)
- Always keep an ear to the ground for opposition and counter their messages

Building Eugene's Smokefree Workplace & RTL Campaign

Media Advocacy

Once City of Eugene Work Session was Imminent

Built database of supporters/strength of coalition – champion waitress found

Building Eugene's Smokefree Workplace & RTL Campaign

Media Advocacy

- Press conference announcing campaign (speakers: hospital, doctor, tobacco researcher, restaurant owner, waitress)
- Media release voter survey
- Advertisement listing endorsers
- Meeting with Register Guard/Eugene Weekly Ed Board
- Respond to other media calls
- Begin LTE's
- Statewide media campaign secondhand smoke messages help

Policy Implementation/Enforcement

- Organize testimony for public hearings
- Continue LTE campaign
- Phone calls, e-mails to councilors
- Meeting with city manager/city staff/law enforcement (should have done this earlier)
- Continue to fight the opposition

Eugene Policy Passes

- Vote of 8 to 0 – RTL and smokefree workplaces including restaurants – September 2000
- Bar vote delayed until November 2000
- Vote of 7 to 1 – smokefree bars passes – November 2000
- ORA continues opposition efforts, attempts to gather signatures for referral to voters – FAILS
- ORA introduces weak Smokefree Workplace Law during 2001 legislative session
- Bill passes, preempting local control, but grandfathering in existing, stronger, local policies

Outdoor Smoking Areas Allowed

An exterior wall shall meet the definition of a solid wall only if 50 percent or more of the total area bounded by the floor, roof line and adjacent walls is impervious to the outside air. Notwithstanding this definition of "solid wall" for new construction, a newly constructed area meets the definition of an "enclosed area" if more than 75 percent of the total area of all wall space or vertical planes defining the area consists of walls or other materials that prevent the free flow of outside air to the area, and if any portion of the defined area is covered by a roof

Loophole Gone Wild

Loophole Gone Wild

Smokefree Workplaces Part 2

- Assessment – Survey all bars/ take photos
- Education/Outreach – Champion waitress interviewed supporters in F&B industry
- Report given to City Council and Enforcement Staff
- Work session and public hearings follow
- **Code changes dictate outdoor area to allow for a roof and only one wall – Fall 2005**

"Business never slowed down, nor did the tips change when the ordinance came in. The fear that people would run to Springfield wasn't felt, and if anything business is better. We finally have enticed the subset of people who never went to a bar because of the smoke. Those people are now coming out to drink, and if anything it has made the bar scene in this town more lively".

"As for the smoking rooms, if they aren't open to the air, they become nothing more than enclosed smoking boxes, defeating the purpose they were set up for."

Jeffrey Morgenthaler: Bartender at the Red Agave, has bartended for 10 years in some of the smokiest places in Eugene (pre-ordinance) including: The Tiny Tavern, Vets Club, Black Forest and Neighbors.

Smokefree Workplaces Part 3

- Spring 2009 – TPEP staff notified of City's intent to expand Smokefree Workplace Law around City buildings that provide services to children
- Policy is result of numerous complaints of secondhand smoke exposure outside library
- Coalition sends supportive e-mails to councilors & educates on issue of outdoor ETS (laying groundwork for smokefree parks)
- TPEP staff provide signage & educational materials to library

Library City Block goes Smokefree

- **6.230 <u>Smoking Prohibited in Public Places and Places of Employment</u>.**
- **(2)** Smoking is prohibited in all public places and all places of employment within the city, including, but not limited to the following:
- (p) The exterior of city-owned buildings a primary purpose of which is to provide services and programs to children under the age of 18, including but not limited to libraries, pools, sports parks and community centers. The city manager shall adopt an administrative order that identifies the specific facilities covered by this subsection. **For purposes of this subsection, "exterior" means the area outside of the building extending from the building footprint to the curb, including but not limited to driveways, planting strips, sidewalks, pedestrian ways, patios and alleys adjacent to the city-owned building,** but not extending into any non-city owned property adjacent to the building or onto the roadway.

Smokefree Workplaces Part 4

- Spring 2010 – City contacts TPEP staff about exemptions in Smokefree Workplace Law, individual attempting to open hookah lounge
- Summer 2010 OHA/HPCDP confirms Mirage Hookah Lounge application for smoke shop exemption
- Fall 2010 – City contacts TPEP staff about second hookah lounge, Al Narah

Smokefree Workplace Part 4

- Fall 2010 – Mirage and Al Narah both under construction. Both obtain license to sell tobacco from City of Eugene.
- Once license is obtained, business can start 90 day sales period required by OHA, no indoor smoking allowed during this period
- ICAA complaints start to come in. City makes site visits, clearly articulates local law

Hookah Use
On Rise Among Youth

- OHT survey data indicates upsurge in hookah tobacco use by 8th and 11th graders (2008-2009)
- prevalence of hookah tobacco smoking jumped 73% among 8th graders and 37% among 11th graders from 2008 to 2009.
- 8th and 11th grade hookah smoking found to be significantly higher in counties with hookah lounges.

Smokefree Workplaces Part 4

Locals concerned about the opening of Al Narah

- Questions around whether building is stand alone
- HVAC system dumps out near air intake of medical building
- Concerns about social norming of smoking among youth (Ballet Academy located near lounge)

January 2011 - Al Narah Advertises Indoor Smoking

AlNarah HookahLounge

Al Narah Hookah Lounge Eugene is now open and smoking is allowed :) Come smoke a hoookah while u finish that paper on ur laptop.. free Wi-Fii and we're open from noon to late at night! Text 503-890-6555 for info! 1530 Willamette St Eugene, OR 97401

Al Narah Hookah Lounge
www.youtube.com
The 2nd location for Al Narah Hookah Lounge located on 1530 Willamette St in Eugene Oregon is welcoming everyone to visit them and check out the environment. Hookah supplies and accessories at wholesale prices, soft beverages, TV's, Music, free Wi-Fii, are just some of the many accommodations at Al

13 minutes ago · Like · Comment · Share

AlNarah HookahLounge

Eugene Al Narah Hookah Lounge
11 new photos

56 minutes ago · Like · Comment · Share

AlNarah HookahLounge

To all of our Eugene customers, the hookah lounge will be open today and smoking is finally allowed so hurry in, bring ur school id to get the $10 hookah, bring in ur laptop and use our free wi-fii! If u haven't seen the new place, u must! Located on 1530 Willamette St Eugene, or 97401! Text 503-890-6555 for info :) hope to see u all today.

4 hours ago · Like · Comment

6 people like this.

City Responds

- Jan 14 - Enforcement staff witness indoor smoking
- Confront business owner who states “We decided this is just a cost of doing business.”
- City issues civil penalty and informs of intent to revoke tobacco retail license
- Jan 29 - City revokes license to sell tobacco for 90 days

To Be Continued

- HB 2726 in House Healthcare Committee
- City of Eugene has tentative work session scheduled in April
- Lane County FY 2011-2012 TPEP workplan includes "closing the smoke shop" loophole because:
  - OHT data highlights hookah use as a problem
  - The community is asking for a solution
  - TPEP/City enforcement staff have working relationship
  - City policy makers are concerned

Lessons Learned

- Strong local policies are the key to State law
- Policy debate at the local level builds community support, changes social norms more than top down approach of state mandates
- One successful policy often leads to another, and another, and another
- Be ready for opportunities
- It can take several years to enact local policy
- Our work is never done.

Q&A

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