

RESOLUTION RULES & GOVERNMENT

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, second hand smoke is the Number 1 cause of preventable health disease in America – there is no question regarding the negative health effects; and

WHEREAS, research has shown that inhaling second hand smoke is more harmful than actually smoking, primarily due to the unfiltered nature of the smoke and the fact that it may be cooled by the air ---- second hand smoke is particularly dangerous as the smoke recognizes no boundaries; and

WHEREAS, smoking and second hand smoke have a significant cost impact on our current health care system; and

WHEREAS, smoking is a voluntary addiction, it is not a right or protected by the Constitution, yet second hand smoke harms an involuntary population which has a right to clean air and a clean environment and which is protected by many public health laws; and

WHEREAS, California Proposition 65 declares that California residents have a right to clean air and water; and

WHEREAS, recently, the Governor of California declared second hand smoke to be carcinogenic and a regulated contaminant; and

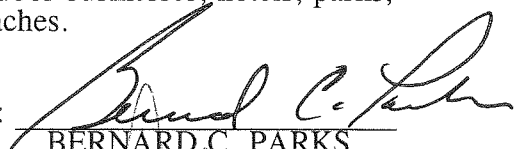
WHEREAS, the City of Los Angeles has implemented legislation to regulate smoking in restaurants, City facilities and City beaches and is currently in the process of implementing a smoking ban in City parks; and

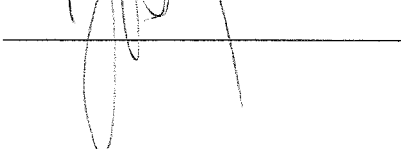
WHEREAS, we need to remove this health risk and the exposure to smoke from the lives of adults and children; and we need to do this more comprehensively instead of by incremental legislation; and

WHEREAS, we need to implement legislation to regulate cigarette smoking by limiting it to specific places where there is no expectation of involuntary contact with people — wherever people congregate or there is an expectation of people being present smoking should be prohibited; and

WHEREAS, this would be an effort to move smokers and smoking away from people who do not chose to either smoke or inhale second hand smoke;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby URGES the County of Los Angeles to enact a second-hand smoking law effective throughout the County which would limit public exposure to secondhand smoke in all public areas and common areas where people congregate including, but not limited to indoor and outdoor businesses, hotels, parks, apartment common areas, restaurants and bars, and beaches.

PRESENTED BY: 
BERNARD C. PARKS
Councilman, 8th District

SECONDED BY: 

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AUG - 8 2008