



# Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: October 13, 2008

FROM: CITY ATTORNEY

SUBJECT: AMENDMENT OF TOBACCO USE PREVENTION ORDINANCE

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 8 OF THE PASADENA MUNICIPAL CODE TO ADD NEW SECTIONS TO CHAPTER 8.78 TO PROHIBIT SMOKING IN OUTDOOR PUBLIC PLACES AND ADDITIONAL DEFINITIONS TO SECTION 8.78.040

PURPOSE OF ORDINANCE:

The purpose of this ordinance is to modify the City's Tobacco Use Prevention Ordinance to reduce further the public's exposure to secondhand smoke.

REASON WHY LEGISLATION IS NEEDED:

The City Council directed preparation of this ordinance at its meeting of May 5, 2008. Due to additional communication by staff, the return of this proposed ordinance was delayed. Section 410 of the Pasadena City Charter requires that the municipal code be amended by ordinance. With this amendment, the City wishes to increase the protection it provides to its residents from harmful secondhand smoke exposure in outdoor public places not currently covered by the Tobacco Use Prevention Ordinance. These areas include shopping malls; unenclosed areas of bars and restaurants; service waiting lines or within 20 feet of such lines; outdoor public gathering events, special events, parades and fairs; and a reasonable distance from doorways, windows, openings, or vents into an enclosed area in which smoking is prohibited. A "reasonable distance" is defined as at least 20 feet, which is probably sufficient to make it unlikely that secondhand smoke will enter nonsmoking areas. There was no need to include parks in this amendment, as smoking is already prohibited in those sites.

10/20/2008

MEETING OF 10/13/2008

AGENDA ITEM NO. 4.A. & 9.A.1

Currently, violations of the provisions of the Tobacco Use Prevention Ordinance are punished as infractions, and Council's direction did not request modification. Subsequent to the City Council's direction, staff has raised questions about whether the penalty for violations should be punished as misdemeanors or by civil action. If desired, a change in the penalty for violations could be incorporated into the amendment at the direction of the City Council, which would mean adding language to change the penalty to allow punishment as a misdemeanor and/or civil penalty.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The Pasadena Public Health Department, business owners, residents, visitors and the general public will be impacted by this ordinance.

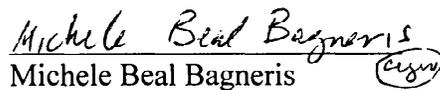
FISCAL IMPLICATIONS:

There will be a nominal cost for staff time related to enforcement, preparation of signage and the public education campaign to inform the public about the new restrictions on smoking in public places.

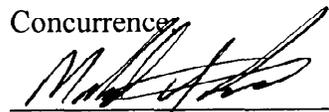
POLICY CHANGES:

This amendment is not a policy change for the City which has followed a program of preventing the public's exposure to secondhand smoke in public places. This ordinance merely adds additional locations where residents and visitors will be protected from inhaling secondhand smoke, a Class A carcinogen.

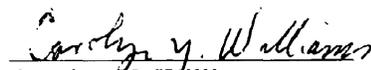
Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Concurrence

  
Michael C. Beck  
City Manager

Prepared by:

  
Carolyn Y. Williams  
Asst. City Attorney

Introduced by Councilmember \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PASADENA AMENDING  
TITLE 8 OF THE PASADENA MUNICIPAL CODE TO ADD  
NEW SECTIONS TO CHAPTER 8.78 TO PROHIBIT SMOKING IN  
OUTDOOR PUBLIC PLACES AND ADDITIONAL DEFINITIONS  
TO SECTION 8.78.040

The People of the City of Pasadena do ordain as follows:

**SECTION 1.** Title 8, Chapter 8.78. Section 8.78.040 (A) of the Pasadena  
Municipal Code (“Definitions”) is amended to repeal paragraphs 1, 2 and 3.

“A. ‘Bar’ means an area which is devoted to serving alcoholic beverages and in which  
the service of food is only incidental to the consumption of such beverages.

~~1. ‘Attached bar’ means one that is located in the same enclosed building as the  
restaurant and shares a heating, ventilation and air conditioning (HVAC) system  
but is physically separated from the dining area.~~

~~2. ‘Dining area bar’ means one that shares an HVAC system and is an integral part  
of the dining area.~~

~~3. ‘Freestanding bar’ means one which does not share an HVAC system with a  
restaurant.”~~

**SECTION 2.** Title 8, Chapter 8.78 of the Pasadena Municipal Code is amended by  
adding new Subsections N, O, and P to Section 8.78.040 (“Definitions”) to read:

**“N. ‘Service waiting line’ means a place, public or private, where people use or wait  
for services, enter a public place, or make a transaction, whether or not such service  
or transaction includes the exchange of money, including but not limited to, bus**

**stops, ATMs, bank teller windows, telephones, ticket lines, cab stands, information kiosks, and theater lines.**

**O. 'Shopping mall' means any parcel of land zoned and used for retail sales by more than one retailer that is jointly operated or which includes shared parking facilities.**

**P. 'Reasonable distance' means a distance of at least 20 feet in any direction from an area in which smoking is prohibited. ”**

**SECTION 3.** Title 8, Chapter 8.78 of the Pasadena Municipal Code is amended by adding new Sections 8.78.071 and 8.78.072 to read:

**“8.78.071. Prohibition of smoking in certain outdoor public places.**

**A. It shall be unlawful to smoke in the following outdoor public places:**

- 1. Outdoor areas of shopping malls;**
- 2. Unenclosed areas of bars and restaurants;**
- 3. In service waiting lines or within 20 feet of such lines;**
- 4. Outdoor public gathering events/special events/parades/fairs.**

**B. Notwithstanding exemptions enumerated under California Labor Code Section 6404.5, the prohibitions in Section A above shall apply to the outdoor areas of a 'private smokers' lounge' and 'retail or wholesale tobacco shops' as defined under state law, and to 'significant tobacco retailers' as defined under the City's Zoning Code.**

**8.78.072 Reasonable smoking distance required - 20 feet.**

**Smoking in unenclosed areas shall be prohibited within a reasonable distance (20 feet) from any doorway, window, opening, or vent into an enclosed area in which smoking is prohibited, except while actively passing on the way to another destination.”**

**SECTION 4.** This ordinance shall take effect thirty (30) days after its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008

\_\_\_\_\_  
Bill Bogaard  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting of \_\_\_\_\_, 2008, by the following vote:

AYES:

NOES:

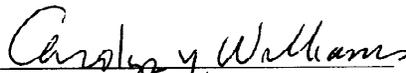
ABSTAIN:

ABSENT:

Published:

\_\_\_\_\_  
Mark Jomsky  
City Clerk

APPROVED AS TO FORM:

  
Carolyn Y. Williams  
Asst. City Attorney

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Thursday, June 19, 2008 5:13 PM  
**To:** Rodriguez, Jane  
**Cc:** Gutierrez, Julie; DeWolfe, Stephanie  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Thursday, June 19, 2008 5:09 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: smoking cigars  
Name: raul gomez  
Address: 3476 chicory leaf place  
City: simi valley  
State: ca  
Zip: 93065  
Email: rg4loans@aol.com

Comments: One of the pleasures my wife and I enjoy about visiting Pasadena is the ability to enjoy a fine meal at a top notch restaurant and to smoke a cigar at a top notch cigar establishment as well as strolling through the sidewalks smoking a cigar after dinner. Haven't you guys had enough of political correctness?? It isn't correct, it's abnormal. Cigar smoke is not chemically obnoxious like cigarette smoke. Every time I light up and ask anyone in my vicinity if they would be offended, I get the same response, " absolutely not", usually followed by "it reminds me of my grandfather, when he would smoke a cigar". There is absolutely no data that indicates that cigar smoke is unhealthy, I have checked even with the CDC. Please have the guts to buck the trend, let the charm of visiting your city remain. I for one, can assure you that neither my wife and I or any of our many friends will ever find a reason to come to Pasadena, if we are prevented from smoking in the streets or in surrounding an establishment such as Cigars by Chivas.  
Date: 6/19/2008 5:08:33 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:43 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 9:07 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking in public  
Name: Nick Mosaquites  
Address: 1051 Palm Terrace  
City: Pasadena  
State: CA  
Zip: 91104  
Email: nmthree@gmail.com  
Comments: If we are going to ban smoking in Public Areas then we should ban buses and cars that emit Diesel fumes.

I can understand the ban of smoking in restaurants, but the idea of banning smoking in public areas is silly and unconstitutional.

I strongly recommend that the up and coming bill to ban smoking in outdoor places be declined. Thank you.  
Date: 6/20/2008 9:07:26 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:43 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 9:32 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Outdoor Smoking Ban  
Name: Rob Moses  
Address: 1251 New York Dr  
City: Altadena  
State: CA  
Zip: 91001  
Email: robusto45@earthlink.net

Comments: I am a non-smoker and appreciate that I can go into a restaurant and not have to experience smoke with my food. However to ban smoking in designated outdoor areas such as patios, sidewalks, and other areas goes too far in my estimation. This all smacks of a fascist nanny state type of governance that eliminates personal rights just to fulfill an agenda put forth by a few. Smokers do have rights and if they wish to smoke outdoors in designated areas I think that's just fine.

Date: 6/20/2008 9:32:23 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:42 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Thursday, June 19, 2008 7:36 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Ban on Smoking in Open area  
Name: E. Allen  
Address:  
City: L.A.  
State: CA  
Zip: 90042  
Email: eallen2@lausd.net

Comments: I cannot help but comment on the lack of cosmopolitan activities that both Los Angeles, Pasadena, and surrounding communities embark upon. There are certain customs that we all have become used to and we are slowly learning how to adjust; airport haggling w/ porters, grocery concerns for the environment calling for eco-conscious bags, gasoline curtailments limiting our travel, water conservation limiting our consumption and use for more than just our lawns, however, the level of carcinogens from a passing motorist, bus, auto, diesel truck etc., pale in comparison to the toxins emitted by second hand smoke on our city streets. It is true that I am a smoker, although one that indulges in a singular smoke over a three to four week period. This hardly places me in the category of individuals that frequently visit smokeshops around the city, yet, I feel that their intentions are part of the American fabric that is whittling away to nothing. The art of conversation is very much tied into this act which we appear bent upon abolishing. This particular act (smoking) is one that has long been a piece of the Americana as we know it. Bring back what little indulgences we have left in our city so that the fabric, and the fragrance of our lifestyle can continue.

Date: 6/19/2008 7:35:35 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:41 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Thursday, June 19, 2008 9:28 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Proposed smoking ban  
Name: Barry J Klazura  
Address: 5731 Madrid Lane  
City: Long Beach  
State: CA  
Zip: 90814  
Email: bklazura@verizon.net

Comments: Please be advised that since Beverly Hills has passed a smoking ban, my wife and I have not visited various restaurants (such as the Polo Lounge, etc) at least half a dozen times because I cannot smoke a cigar in the outdoor patio. This use to be a regular treat for us, but obviously the city does not need my entertainment dollars so that is fine with us. We would take the same view of Pasadena if such a ban is passed. Your city will not go bankrupt if we don't frequent your restaurants, but until you stop the cars and busses from running and putting much more gunk into the air, don't expect us to spend our dollars if you do not want us to enjoy ourselves. It is your city, your rules, but we shall not support any city that enfringes on our legal rights.

Thank you  
Date: 6/19/2008 9:27:58 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:41 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 1:50 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Ban on outside smoking...

Name: Ralph Viscuso  
Address: 88 W. Colorado Blvd.  
City: Pasadena  
State: CA  
Zip: 91105  
Email: ralph@jjsteakhouse.net

Comments: I am very much opposed to the city's planned ban of outside smoking. As a business owner in Pasadena for the last 11 years, I can tell you how much this will hurt my business. My outside patio is used by many of my customers to smoke cigars and cigarettes. It is not unusual for me to have cigar dinners from \$2,000.00 to over \$5,000.00 several times a month. Approximately 20 - 25 % of my business is related to smokers. If anything, my business should be grandfathered where the ban does not affect me. We have built a loyal customer base and to force them to other cities is not right.

In yesterday's paper, Glendale Council decided not to ban smoking in their city after businesses expressed their concerns.

I respectfully ask for consideration of my proposal to not restrict smoking to existing businesses using outside patios for dining.

Sincerely,

Ralph Viscuso  
Proprietor  
JJ Steak House

Date: 6/20/2008 1:50:27 AM

## Rodriguez, Jane

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:40 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 8:23 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking ban outside  
Name: Martin A. Booker  
Address: 3362 Fair Oaks  
City: Altadena  
State: CA  
Zip: 91001  
Email: mabooker76@sbcglobal.net  
Comments: I generally understand and support the ban in some public places (indoors).

Restaurant owners should get to decide whether to allow smoking or not in their establishments - it's their call on how to recover their investment, make revenue to support jobs, pay the city's taxes, be part of the urban fabric in a particular location, etc. Having all types of clientele (smoking and non) is part of that.

I am always amazed when city government focuses on banning smoking on streets and sidewalks outdoors when you watch all the cars, buses and trucks go by (or worse, stopped in traffic) exuding carbon dioxide and monoxide. I would really like to see the study that determines that 5 or 10 or whatever number of people smoking on the street harms passers-by more than all the vehicles.

(I suppose if I could chain smoke and follow a pedestrian around for a while blowing all that smoke in their face, I might harm them ;>)

I know California wants to protect everybody from everything (constitutional rights aside), but let's focus our time and money on some more important issues, and let this one slide. Just because it might be easy to legislate does not mean it should be done...

Thank you,  
Date: 6/20/2008 8:23:29 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:39 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 8:43 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Proposed Smoking Ban  
Name: Patrick Kennedy  
Address: 450 W Pioneer Place  
City: Glendale  
State: CA  
Zip: 91203  
Email: padraigh@gmail.com  
Comments: Mr. Melekian -

I am not a cigarette smoker, I do smoke an occassional cigar or pipe. I have always enjoyed certain Old Town restaurants, such as JJ's, which offer the opportunity for a good cigar and a glass of port on their outdoor patio after a good meal.

I often come to Pasadena to take advantage of this and during my visits, I also shop at nearby stores such as Crate & Barrel, Sur la Table, Restoration Hardware, etc.

I'm also a customer of Cigars by Chivas, a small tobacco shop near the Old Town area and which I noted was voted the best in Pasadena.

While I support a smoke-free environment for the most part (especially for cigarettes), a cigar or pipe are time-honored pleasures enjoyed by cultured persons of all ethnicities.

I, others like me, wish only the ability to enjoy this pleasure in specific locations suitably adapted for the activity such as outdoor patios tobacco shops, or other areas where the property owner has taken specific measures to facilitate the public at large.

I request your serious attention to this matter now before the Council and hope that the City of Pasadena doesn't invoke a law that is both abusive, discriminatory, and mostly unenforceable.

Thank you for your time.

Patrick Kennedy  
Date: 6/20/2008 8:43:07 AM

## Rodriguez, Jane

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**From:** Melekian, Bernard  
**Sent:** Friday, June 20, 2008 8:37 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Friday, June 20, 2008 11:57 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: smoking ban  
Name: Bradford Creger  
Address:  
City: Pasadena  
State: CA  
Zip:  
Email: bdcreger@yahoo.com  
Comments: I do not smoke. However, I do NOT think we should have a law banning smoking on streets, sidewalks and restaurant patios.  
Date: 6/20/2008 11:57:15 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Monday, June 23, 2008 1:08 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Monday, June 23, 2008 10:49 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking Ban  
Name: Bobby Newman  
Address: 2701 16th Street  
City: Tampa  
State: FL  
Zip: 33605  
Email: b.newman@jcnewman.com  
Comments: Dear City Manager,

Pls do not ban smoking in public. Cigars are a legal product and many people still enjoy them.

We are unable to enjoy them indoors and have been forced out-doors to enjoy this product that the Native Americans used for hundreds of years.

Please do not take this right away from us!

I visit Pasadena and enjoy a fine cigar - outside.

Bobby  
Date: 6/23/2008 10:49:02 AM

## Rodriguez, Jane

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**From:** Melekian, Bernard  
**Sent:** Monday, June 23, 2008 8:42 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Monday, June 23, 2008 8:19 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: No smoking on the streets??????

Name: Donna Polofsky

Address: 4 Dwight Street

City: Cranston

State: RI

Zip: 02921

Email: sm0kinmama@cox.net

Comments: I am cancelling my plans to take my family to your area this summer. I am outraged that you would ban a legal product from use in public areas. I can understand the restaurants. All the rest is an attempt at social change. It's pure discrimination. Did you know that in the last century that there were towns in the South that taxed Catholics higher than Protestants? Well, smokers have been sorely taxed and governments enjoy that income while we stand in alleys. Why not ban California wine? Afterall, unlike the imaginary secondhand smoke deaths, you can actually see the blood of the innocent victims all over our highways. Guess that's your "drug" of choice. Mine is "nicotine". I would have liked to visit but you obviously don't want me there. I'll spend my money somewhere else. Thank you for reading. Donna Polofsky  
Date: 6/23/2008 8:18:32 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Monday, June 23, 2008 4:23 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Monday, June 23, 2008 4:27 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking Ordinance  
Name: James Weidner  
Address: 1000 S. Orange Grove Boulevard  
City: Pasadena  
State: CA  
Zip: 91105  
Email: JLWinSpace@sbcglobal.net

Comments: I favor limitations on smoking that interferes with the rights of non-smokers. Restaurants and offices should indeed be smoke free. But prohibiting smoking on sidewalks and in patio areas is going a bit too far. Trampling on the rights of smokers is not appropriate. Will we next ban driving an auto because of pollution implications?

We have put enough limits on people---this thought of a "smoke free Pasadena" goes a bit too far.  
Date: 6/23/2008 4:27:09 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Monday, June 23, 2008 2:23 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Monday, June 23, 2008 2:27 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking ban  
Name: David B. Dow  
Address: 24703 Napa Ct.  
City: Valencia  
State: Ca.  
Zip: 91355  
Email: ddow@avnissan.com

Comments: Dear Mr. Melekian,  
Because I first shopped at Cigars by Chivas, I now frequent many of your local businesses including resturants and shops. Two of my major purchases are a new Bentley car and a compete kitchen. As many will ,I'll continue to take my business to a community where I can sit at a cafe or enjoy a stroll after dinner and enjoy a cigar. I completly understand the need to limt smoking in buildings. Not outside. I hope I can continue to enjoy your great city.

Respectfully,  
David B. Dow  
Date: 6/23/2008 2:26:59 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Tuesday, June 24, 2008 11:22 AM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Tuesday, June 24, 2008 6:26 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking restrictions  
Name: John J Faulkner  
Address: 839 Lake Shore Drive  
City: Parsippany  
State: NJ  
Zip: 07054  
Email: cavalier858@yahoo.com  
Comments: As an occasional cigar smoker, I do not agree with a broad brush approach to  
banning smokers on public streets, sidewalks, parks and even in private automobiles.  
Date: 6/24/2008 6:26:19 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Tuesday, June 24, 2008 10:54 AM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Tuesday, June 24, 2008 8:15 AM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: opposition to the smoking ban

Name: charles j moore

Address: 2057 amherst drive

City: south pasadena

State: ca

Zip: 91030

Email: cmoore@coxcastle.com

Comments:

I am opposed as an occassional cigar smoker to the city's proposed ban on smoking, and if it is passed, I will dine, shop and relax in another city.

Date: 6/24/2008 8:15:17 AM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Wednesday, June 25, 2008 4:40 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 4:44 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Smoking ban  
Name: Paul Cummings  
Address: 1315 Mission  
City: Pasadena  
State: ca  
Zip:  
Email: pac2717@aol.com

Comments: This ban is just another do gooder gone wrong. There is no data that suggests that a draconian ban of which is now being proposed in the City of Pasadena will benefit anyone. In fact let us please go a step further and outlaw flatulence and bad breath also.... Pull your head out and be a public servant. Are there not other important issue's to focus our attention upon? Please lets start w/ the homeless. The bandats masquerading as parking meters or the parking gestapo, what about a no kill shelter. Free nueter and spay.....

Does the city of pasadena need another vehicle to extort money from its citizens? Come on give me a break!  
Date: 6/25/2008 4:44:19 PM

## Rodriguez, Jane

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**From:** Melekian, Bernard  
**Sent:** Wednesday, June 25, 2008 3:39 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 3:44 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

\*\*\*\*\*

Subject:  
Name: Mike Deguzman  
Address: 16400 Pacific Coast hwy ste 204  
City: Huntington beach  
State: ca  
Zip: 92649  
Email: originalmikeeee@yahoo.com  
Comments: your taxing us enough, lets us enjoy and quit taking our freedon away  
Date: 6/25/2008 3:43:31 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Wednesday, June 25, 2008 3:39 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 3:32 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: proposed anti-smoking ordinance

Name: Robert Nielsen  
Address: 3730 Shadow Grove Road  
City: Pasadena  
State: CA  
Zip: 91107  
Email: bob.carollee@gmail.com

Comments: I view the proposed anti-smoking ordinance currently before the city council as an intrusion on the rights of adults to make their own personal decisions that will have no adverse affect upon anyone else. I have smoked the occasional cigar for the last 20 years. 4 years ago, I had a bronchoscopy. The pulmonologist reported that I had the lungs of a non-smoker. This result after I had quit smoking two and half packs of cigarettes a day in 1984. There is no scientific evidence whatsoever that second hand smoke can cause problems for non-smokers. If a restaurant wants to have cigar nights, or my favorite cigar store wants to allow smoking on its premises, it is not the city's responsibility to decide whether that is not a good idea or not. It is the restaurant's decision, the store owner's and my decision as to whether I want to participate. It is ludicrous for the city to assume "we know better."  
Date: 6/25/2008 3:32:04 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Wednesday, June 25, 2008 3:03 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 2:49 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Banning Smoking  
Name: Hakop David Balyan  
Address: 1312 N Sierra Bonita Ave  
City: Pasadena  
State: CA  
Zip: 91104  
Email: JackBalyan@yahoo.com

Comments: I don't understand why the city of Pasadena is trying to Ban smoking in Public. We already have smoking sections at business locations and restaurants. Is this a way of saying "You have no other choice, but to quit?" "We're thinking about your well being." God gave me a life to live it, not to sit down and write all these laws that are a waste of time. If it's a law that's going to but drugs and violence away, find! But, if its something that gives me a break from work or school, then I need a cigarrete. Trust me, if you ban smoking, you are going to have a lot of angry people running around with short tempers because they can't smoke. On that note, I'm going to go have a cigarrete.  
Date: 6/25/2008 2:48:55 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Wednesday, June 25, 2008 3:02 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 2:52 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Against Smoking Ban  
Name: Joe Limmer  
Address:  
City: Pasadena  
State:  
Zip:  
Email: joseph.p.limmer@kp.org  
Comments: Taking away choices is not a function of government.  
Date: 6/25/2008 2:52:17 PM

**Rodriguez, Jane**

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**From:** Melekian, Bernard  
**Sent:** Thursday, June 26, 2008 1:46 PM  
**To:** Rodriguez, Jane  
**Subject:** FW: WWW PUBLIC COMMENT

-----Original Message-----

From: CityWeb-Server@cityofpasadena.net [mailto:CityWeb-Server@cityofpasadena.net]  
Sent: Wednesday, June 25, 2008 9:36 PM  
To: Melekian, Bernard  
Subject: WWW PUBLIC COMMENT

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Subject: Outdoor Smoking Ban

Name: Vito Racowski

Address:

City:

State:

Zip:

Email: vracman@cox.net

Comments: Barney I am oppsed to this, though I don't come to Pasadena that often, this will only trickle south into my area. Slowly our freedoms are disappearing.

Date: 6/25/2008 9:36:05 PM