

Webb County Community Coalition of SCAN, Inc.

Timeline of Events of the Smoking Ordinance

November 2002

- Coalition members voted to formally address the issue of Whataburger Restaurants allowing smoking in their establishments. At the time, members understood that Whataburger was the only fast food franchise hamburger restaurant that allowed smoking in their establishments. It was later learned that certain Wendy's Restaurants in Laredo also allowed smoking.

January 2003

- Whataburger representatives were formally approached and asked to voluntarily ban smoking in their establishments in Laredo. Representatives stated that they would not be willing to voluntarily do so; however, would willingly comply with a City ordinance. Coalition members agreed to pursue the matter by addressing the City Council in an attempt to introduce a Smoking in Public Places Ordinance.

March 2003

- Letters were sent to City Council Members asking that an ordinance be passed banning smoking from all restaurants as well as those places where children frequently visit such as bowling alleys, skating rinks, and arcades in the City of Laredo.

April 2003

- Kick Butts Day was supported by the Coalition to promote tobacco awareness to children with two school events in Laredo and an outdoor activity supported by the TAMU soccer teams.
- Petitions signed by WCCC Coalition members (stating that they supported a no smoking ordinance for all restaurants in the City of Laredo and for all establishments where children frequently visit) were presented to City Council. Along with the petitions, City Officials were given an informational packet that included: a proposed Non-Smoking Ordinance, a report on the economic impact on businesses, a list of US cities with no-smoking ordinances presently active.
- At the April City Council meeting a proposal was brought forward for a no smoking ordinance for the City of Laredo.

May 2003

- Public Hearing at City Hall for an introductory ordinance amending the existing non-smoking ordinance, drafted by Jamie Flores, City Attorney. City Council voted to hold a workshop for further discussion.
- Presentations of awards were made at the monthly Webb County Community Coalition meeting to establishments that were "Kid Friendly" – both alcohol and smoke free.

June 2003

- City Council held a workshop. A public hearing was held to explain and answer questions constituents had regarding the amendment of the Indoor Clean Air of the Code of Ordinances.

July 2003

- A final reading of the ordinance was scheduled for the City Council Meeting. City Council moved to continue as a Public Hearing until all businesses are aware of the amendment to the ordinance.
- The Coalition sent letters to City Council encouraging City Council to vote in favor of the "Smoking in Public Places" Ordinance at the next City Council meeting on July 21, 2003 without exemptions

for ventilation technology alone. Over 1000 letters from individuals who support the ordinance were delivered to City Council.

- The Council placed the "Smoking in Public Places" ordinance on the Agenda as a public hearing. City Council members decided to send the ordinance back to staff for further research at the City Council Meeting.

October 2003

- The council voted to postpone the ordinance indefinitely by a 5 to 3 vote; Council Member Tito Garcia (a co-sponsor) and Councilmen Galo, Belmares, Amaya, and Jose Valdez all voted against the ordinance on the primary basis that it would be prohibitive to business owners. Councilmen Aggredano, Eliseo Valdez, and Juan Ramirez were in favor of the ordinance. Council Members voting against the ordinance indicated that a complete "NO Smoking Ban" would be more equitable to all.

November 2003

- After several Council Members informally indicated to Coalition staff that they would be willing to pursue the No Smoking Ban after more effort was expended by the Health Department and the Coalition to increase community awareness of the dangers of secondhand smoke, the Coalition in conjunction with the Health Department published a Smoke-Free Dining Guide and held a Secondhand Smoke proclamation at a restaurant for the Great American Smokeout.

November 2003 – October 2004

- The Webb County Community Coalition worked to educate the public on the issues of second hand smoke: 52,000 bank statement inserts, Public Service Announcements on the Public Access Channel, Public Service Announcements with the Laredo Bucks, two separate ad campaigns on Univision, information dissemination at Health Fairs, Schools, and the Colonias. Presentations of awards were made at the monthly Webb County Community Coalition meetings to establishments that were "Kid Friendly" – both alcohol and smoke free. Billboards with the second hand smoke message. Letters to the editor were sent to local newspapers.

April 2004

- The City of Laredo Health Department signed a Secondhand Smoke Proclamation in conjunction with a Health Fair.
- Kick Butts Day activities at 4 schools.

October 2004

- Councilman Agredano was approached by members of the Coalition and has stated that he would put the complete smoking ban proposal on the agenda for City Council.
- Guide to Smokefree restaurants in Laredo has been updated and brochures circulated through the city.

November 2004

- A media campaign centered on The Great American Smokeout which was successful in recruiting 29 restaurants to go smokefree for the day, up from 2 restaurants the year before.
- City Councilman Agredano placed the Smoking Ordinance on the Agenda for a status report. Dr. Gonzales from the City of Laredo Health Department explained the history and said he would like to receive recommendations from Council members on which way to go from here. City Councilman Agredano stated that he didn't want to take the right to smoke away from anyone but he wants to protect the kids. City Councilman Belmares said that he felt all the City owned facilities should be smoke free like the LEC and private owned could do what they want. In that light he felt

the Indoor Clean Air Ordinance should be amended to state that a no smoking policy would be enforced at rooms rented at the Civic Center, regardless of who rents them. City Councilman Valdez asked if we could put the smokefree restaurants listed in the Smokefree Restaurant Guide on the City of Laredo Web Page. The City Attorney felt that the City could not endorse some restaurants and not others. City Councilman Valdez suggested the city do a link to the SCAN web page for the Smokefree guide.

November – December 2004

- Two separate letters were sent to City Council and City Officials highlighting the fact that both the state Nuevo Leon, Mexico and then Corpus Christi, Texas had passed tough ordinances on smoking.

March 2005

- Laredo was listed on the smokefree.net website to encourage citizens to send letters to the Mayor and City Council.
- After receiving several of the letters via the smokefree.net site the Mayor informally requested the Coalition reintroduce the no smoking ordinance to the city council members.

April – July 2005

- A City wide poster contest for youth was held for Kick Butts Day with the theme "How smoking affects your family and your health."
- Over four thousand (4,000) surveys were conducted by Coalition members in Laredo asking citizens their preference on restaurants that allow smoking and smoking sections within restaurants.

May – September 2005

- Letters of support for a complete smoking ordinance in public places were gathered from agencies and businesses in Laredo to present to City Council.
- Coalition members met with City council members individually to garner their support. **Agredano** has agreed to reintroduce an ordinance that bans smoking in all public places. **Rendon** is also in support because he feels all employees should be protected from 2nd hand smoke. **Belmares** agreed to a total ban on smoking in public places to make a level playing field for all businesses. Over the phone **Hector Garcia** stated he would be in favor of a smoking ordinance as long as there were no exceptions included in the ordinance. **John Galo** stated he would not be in support of a smoking ordinance in any form. **Jose Alberto Valdez** stated he would be in support of the ordinance. **Johnny Amaya** said he would carefully consider the ordinance and when pressed he said he was 70% in favor of the ordinance. **Juan Ramirez** stated he would support the ordinance.

August 18, 2005

- Press Conference held to launch the Bus Boards for two El Metro Buses "Second Hand Tobacco Smoke Stinks". Both Alfredo Agredano and Jose Alberto Valdez were in attendance and spoke in support of the ordinance.

September 2005

- The July Newsletter on the smoking ordinance was reprinted and sent to every Restaurant, Hotel / Motel with a restaurant and Bar in Laredo (based on a TABC report) so they would be notified that the Coalition was working toward a smoke free Laredo.

October 3, 2005

- *City Council Meeting – Listed under Public Hearings*

7. Public hearing and introductory ordinance amending Chapter 15, Health and Sanitation, Article VI "Indoor Clean Air", of the Code of Ordinances of the City of Laredo, Texas by amending Sections 15-78 through 15-81; "Smoking in Public Places", providing for violations, enforcement and penalties of the policies implementing this chapter, providing severability; and providing for an effective date and publication.

Mayor Flores removed item #7 from the agenda moments before City Council convened stating she would like to have a public workshop held for discussion from both sides on this ordinance.

November 16, 2005

- November 16, 2005 City Council held a Workshop and Public Hearing on the Smoking Ordinance. Mayor Flores was in WA DC and unable to attend; Council members in attendance were: Tito Garcia, Jose Valdez, Juan Ramirez, Gene Belmares, Johnny Rendon. Absent were John Galo, Alfredo Agredano, and Johnny Amaya. Surprisingly, during the public hearing there were only "supporters" of the smoking ban present who gave testimony. Council held discussion after testimony on: enforcement issues of the ordinance; concerns that it should not hurt the small businesses & cause flight of patronage; discussion on a city survey to get the reaction of Laredo on a smoking ordinance. Belmares is still firm about a total ban for a level playing field but indicated he would like to "let the citizens decide"; Tito Garcia likes the one in place and doesn't want to change it. Juan Ramirez, "I don't smoke, so you know where I stand." None of the members present, except Juan Ramirez, wanted to take action and preferred instead to have the City do a survey and then place the smoking ordinance on the May election ballot as a referendum if indicated by the survey.

November 17, 2005

- The Great American Smokeout Proclamation was read at City Hall by City Council member Gene Belmares. Representatives from the Webb County Community Coalition, the City of Laredo Health Department, American Cancer Society, Nurses on Wheels, Laredo Medical Center, and Doctor's Hospital were in attendance to support the proclamation and a smoke free Laredo.

December 7, 2005

- Smoking Ordinance Committee met at the City of Laredo Health Department and decided to contact Gene Belmares and Alfredo Agredano to place the Ordinance back on the City Council Agenda for a vote.
- Both Council members Agredano and Belmares were contacted to place the Ordinance back on the agenda for a vote before the end of the year.

January – March 2006

- Smoking Ordinance Committee met on January 9th to discuss how to approach Council to get the Ordinance placed on the agenda for a vote before Council member Jose Valdez (ordinance supporter) steps down to run for Mayor. Other options were discussed such as placing the ordinance on the May ballot.
- Committee met at the City Attorney's office on January 18th along with Council member Belmares, the Laredo Health Department, and the assistant city attorney to discuss placing the ordinance on the ballot. The assistant city attorney explained that City Council could not place it on the ballot but the Coalition could do a petition by community initiative. 10,000 plus signatures of registered, verified voters would be needed to place the ordinance on the ballot.

- The Coalition decided to push for a vote at City Council on the Ordinance and if that failed then to go with the petition by community initiative.
- James Gray with the American Cancer Society out of Austin hosted a meeting for the Committee and board members of the American Cancer Society to help strategize. Additional phone calls will be made prior to the March 27th City Council meeting. An electronic email was set up in Spanish and English to circulate to the community. Individuals would then send emails to council members and the mayor.

March 2006

- City Council voted to pass the No Smoking in Public Places Ordinance by a vote of 5 - 3. In favor were John Galo, Gene Belmares, Juan Ramirez, Alfredo Agredano, & Johnny Rendon. Against Tito Garcia, Johnny Amaya, & Juan Chavez. The only speakers present at city council were in favor of the ordinance.

2006-O-073 Amending Chapter 15, Health and Sanitation, Article VI "Indoor Clean Air", of the Code of Ordinances of the City of Laredo, Texas by amending Sections 15-78 through 15-81; "No smoking in public places"; providing for violations, enforcement and penalties of the policies implementing this Chapter; providing severability; and providing for an effective date and publication. As Amended.

- J. St. John, radio host on 99.3, spoke all week on his morning show to rally the bar owners against the Smoking Ordinance and called for a meeting of bar owners at Cocktails lounge on March 29th.

April 3, 2006

- Bar owners opposing the ordinance and supporters addressed City Council.
- City Council voted on the Smoking Ordinance and it again passed 5 – 3 with same council members voting for and against. There was one amendment to the ordinance in regards to the distance from the door to the patios being 5 feet; distance from the entrance of a building would remain at 10 feet.