

Somerville Smoking Ban Suggestions for a Smooth Implementation

The following suggestions were developed based on the issues and concerns raised by bars and restaurants during the preliminary visits by the Tobacco Control Program carried out in the first two weeks of August/03. The suggestions also take into consideration the experience of other communities that have implemented similar smoking bans and have dealt with similar issues successfully. Some of the ideas presented here were developed by the implementation committee, which also included members of the Somerville business community.

Fear of Loss of Business:

- Most people don't smoke. So, one possible strategy is to re-redirect marketing efforts to try to bring nonsmokers to your place of business. One way of reducing the costs of doing this is to build a coalition with other business owners in the city and buy advertising together.

Uncooperative Patrons:

- The best policy is prevention. Begin the education of your patrons before the implementation date of October 1, 2003. Explain your responsibilities and consequences of noncompliance;
- Remove all ashtrays and post "no smoking signs" and promotional materials designed to educate the patrons about the ban;
- Educate your staff about the smoking ban, and train them on how to approach patrons who, by ignorance about the new regulation or otherwise, attempts to light up a cigarette. The police and procedure to handle these incidents should be clear and standardized;
- As of October 1, 2003, politely approach any patron who attempts to light up a cigarette in your establishment, explain that yours is a smoke-free establishment, and ask him/her to put it out.
- If the patron refuses to put it out, invite them to leave.
- If the patron refuses to leave the premises, call the police. Please note that the Police will not be responding to smoking violation calls. They will be responding to Police calls such as trespassing, public disturbance, etc., that might have started out as a smoking violation, but progressed into a Police matter. The Board of Health will enforce the smoking ban through the Health Department and Tobacco Control.

Unpaid Tabs:

- Different establishments have dealt with this concern in different ways. One way is to require a patron who wants to go outside to smoke for his/her credit card and get an authorization on it.
- Another method is to have your patron pay the tab before leaving the premises to smoke.

- Finally, some establishments have decided not to run tabs and require patrons to pay separately for each drink. It's really a business decision based on the establishment and clientele.

Crowds Gathering Outside:

- Very important point: don't tell your patrons they can smoke outside. Tell them they cannot smoke on the premises. If you tell them they can smoke outside, they might feel more inclined to congregate right in front of your establishment, precipitating other problems.
- Ask those patrons leaving to smoke, not to stay in front of the establishment. Ask them instead to walk along the sidewalk while they smoke to prevent a gathering in front of the establishment.
- Depending on the nature of your business, you might decide not to allow re-entry of patrons into your establishment. This might discourage patrons from going outside to smoke.

Cigarette Butts On Sidewalk:

- The management of the establishment will continue to be responsible for keeping the sidewalk in front of the establishment clean. Since the number of cigarette butts will be a function of how many people gather outside to smoke, following the suggestions for dealing with "crowds gathering outside" might reduce how much sweeping you have to do.
- Another possibility is to have appropriate ashtrays placed outside. This option works best if accompanied by a sign with the following message, or its equivalent: "This is a smoke-free establishment, please put your cigarette out before entering." This message implies that one should put one's cigarette out before entering, instead of being an invitation for patrons to smoke outside.
- Before deciding to place outside ashtrays at your establishment, check with DPW and other city departments to ensure you're allowed to do so.

Drug issue; outside noise; safety issues; public image concerns; neighbor complaints:

- Since these issues are directly related to the issue of "crowds gathering outside" any strategy to deal with them should include the proper management of people entering and leaving the premises, as well as gatherings outside.
- The management should be well aware of its responsibilities before the Licensing Commission and other departments in the city, and should abide by their rules and regulations;
- The following are the Licensing Commission Rules and Regulations that establishments need to pay special attention to, once the smoking ban goes into effect on October 1, 2003: **1.06e**; **1.09b**; **1.09c**; and **1.09e**. Please review the full description of these rules contained in the Licensing Commission Rules and Regulations book, and contact the Licensing Commission at (617) 625-6600 ext. 4500 if you have any questions.

For any questions or for further assistance in implementing the smoking ban, contact the Somerville Tobacco Control Program at (617) 625-6600 ext. 4318.