

No. 24-07-RE

A RESOLUTION

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to enact a statewide smoking ban to protect the public health, ensure the comfort of all persons, and safeguard the environment by prohibiting smoking in public places and workplaces.

WHEREAS, the use of tobacco products is dangerous not only to the person smoking, but also to nonsmokers who must breathe the contaminated air; and

WHEREAS, the United States Environmental Protection Agency has classified second-hand tobacco smoke as a Class A carcinogen, a classification reserved for the most lethal environmental hazards, such as asbestos, benzene, formaldehyde and radon; and

WHEREAS, approximately 53,000 nonsmokers in the United States die annually from lung and heart disease due to exposure to passive smoke; and

WHEREAS, according to the Surgeon General's 2006 report, "The Health Consequences of Involuntary Exposure to Tobacco Smoke," nonsmokers exposed to secondhand smoke face up to a 30 percent risk of developing heart disease and lung cancer, and secondhand smoke exposure increases the risk of sudden infant death syndrome and lower respiratory infections, such as pneumonia and bronchitis in children; and

WHEREAS, tobacco smoke is also responsible for up to 1,000,000 attacks of asthma, 8,000 to 26,000 new cases of asthma and significant reduction in lung function and causes serious middle ear infections among children each year; and

WHEREAS, the Surgeon General's 2006 report found that there is no risk-free level of secondhand smoke exposure, with even brief exposure adversely affecting the cardiovascular and respiratory systems, that only smoke-free environments effectively protect nonsmokers from secondhand smoke exposure in indoor spaces, and that millions of Americans continue to be exposed to secondhand smoke in their homes and workplaces; and

WHEREAS, 23 states and the District of Columbia have laws in effect that require 100% smokefree workplaces and/or restaurants and/or bars; and

WHEREAS, based on 2005 survey data, 77 percent of Pennsylvanians believe that people should not be exposed to secondhand smoke in public places; and

WHEREAS, the Pennsylvania Commonwealth Court has prevented Allegheny County from taking steps to protect the public from the dangers presented by second hand tobacco smoke; and

WHEREAS, multiple bills establishing a statewide smoking ban in public places and workplaces have been introduced in the Assembly;

The Council of the County of Allegheny resolves as follows:

Section 1.

Allegheny County Council hereby urges the General Assembly to enact legislation to regulate smoking in public places and workplaces throughout the Commonwealth in order to protect the public health, ensure the comfort of all persons and safeguard the environment from the harmful effects of tobacco smoke. The Council requests the General Assembly consider the dangerous, unnecessary and involuntary health risks associated with exposure to tobacco smoke, particularly with regard to children and the elderly, as well as the cost of providing medical care to individuals afflicted with emphysema, lung cancer, asthma, and other conditions known to be caused or aggravated by exposure to tobacco smoke, and act immediately to protect and promote our citizens' health, safety and welfare.

Section 2. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution, which shall be in full force and effect.


Section 3. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

PRIMARY SPONSORS: PRESIDENT FITZGERALD and COUNCIL MEMBER FINNERTY

CO-SPONSORS: COUNCIL MEMBERS BURN, CALDWELL, CLEARY, DEFAZIO, DROZD, FAWCETT, FRAZIER, GASTGEB, LESTITIAN, MACEY, MARTONI, REA, & ROBINSON

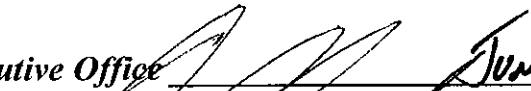
Enacted in Council, this 5th day of June, 2007

Council Agenda No. 3246-07

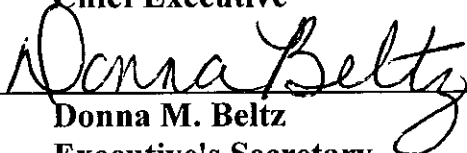


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office  June 11, 2007

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna M. Beltz
Executive's Secretary