

MINUTES OF THE PUBLIC HEARING
SMOKE FREE PUBLIC INDOOR PLACES BYLAW
10 JULY 2001

Present: Chairman Mayor John P. Prall
 Deputy Mayor Donald E. Clarke
 Councillor Bruce H. Morse
 Councillor J. Richard Horsburgh
 Councillor Thomas S. Banks
 Councillor Michael E. Trinacty
 Ms. Linda Parker, Chief Administrative Officer
 Ms. Carol L. Boylan, Recording Secretary

Absent: Councillor Gary W. Whittier

In attendance: Ms. Sara Keddy, Register
 Smoke Free Kings Representatives
 Members of the Public

1. The Chairman called the meeting to order at 6:30 p.m. and welcomed members of the public and press in attendance.
2. **Smoke Free Indoor Public Places Bylaw – 2nd Reading**

The Chairman explained the process that would take place and gave some background information on the Smoke Free Indoor Public Places Bylaw. Following that anyone who wished to speak was invited to do so. The following people came forward:

Doug Stockman, Berwick Lions Club

Mr. Stockman stated that it is not the Lion's Club policy to become involved in politics. He noted that Lions stand for community health and health is important to them. The main thing they are concerned about is the possible \$16,000 loss of revenue from Bingo. Mr. Stockman suggested that the present situation continue and perhaps the Town should look at an education program rather than legislation.

J.A. Davidson, Berwick Legion

Mr. Davidson is concerned that the proposed by-law does not address the rights of smokers. Veterans of World War II fought to retain the freedom and way of life that we now enjoy at the expense of thousands who paid the supreme sacrifice and their sacrifice should not be in vain. Another major concern of Mr. Davidson is the possible loss of \$30,000 revenue from Bingo.

Jim Wooley, Sidetrack Beverage Room

Mr. Wooley feels that this is a very important issue and he has talked to many people about it. He feels that it goes back to people's rights. Berwick is a working class area, and more working class people smoke and they should be allowed to smoke. He also noted that only three commercial businesses are affected, The Sidetrack Beverage Room, C. & M. Restaurant, and Luigi's Pizza.

Lila Hope-Simpson, Smoke Free Kings

Ms. Simpson wished to clarify items in Mr. Wooley's public letter. She said the by-law is not intended to pit smokers against non-smokers. The focus is on clean air and how it affects others. The by-law was initiated by a Councillor. They want to protect the health of smokers and non-smokers, and enforcement shouldn't be an issue worthy of putting health at risk. Service organizations should look at other creative

MINUTES OF PUBLIC HEARING
10 JULY 2001
PAGE 2

ways to fundraise other than bingo. She noted that their statistics were from the Nova Scotia Departments of Health and Tourism.

Dwight Johnson, Taxpayer

Mr. Johnson feels this by-law is unconstitutional and should be dealt with by senior government. He feels that two businesses are being singled out. The Town is too busy with more important issues to be worried about this. He is not a smoker, but feels everyone should be treated fairly. The by-law is unconstitutional and the jurisdiction of the Provincial Government.

Frank Hazel, Resident of Waterville

Mr. Hazel is member of the Waterville Fire Department. He said they tried non-smoking when they first opened their new firehall and they didn't get the rentals. When they changed their policy and had designated smoking and non-smoking sections of the Fire Hall, their rental business increased significantly.

Vicki Jones, Driftwood Restaurant

As a business owner she made the decision to go non-smoking and feels the decision should be up to the business owner.

Nancy McVay, Smoke Free Kings

Ms. McVay talked about the role of municipal councils and their authority and responsibility under MGA. There is already case law that the by-law is constitutional. She realizes this is a very emotional issue. It is clear that there are health risks, and the people are entitled to a smoke free environment.

Catherine Hebb, Smoke Free Kings

Ms. Hebb spoke that their group wants to work with all of Kings County to create a level playing field. Windsor is beginning in the fall, Halifax is on track. It's going to happen and we need leaders.

Dave Logie, Chair, Annapolis Valley District Health Authority

Mr. Logie is concerned about young people; we've been unsuccessful in stopping their smoking. The by-law pits health care against business. Mr. Logie spoke of the disadvantage of one area going smoke free. He feels the issue bears further review and there is undue pressure on Berwick to establish a precedent. All municipal units should get together and work together on this issue.

Mr. Prall thanked all those for their participation and adjourned the meeting.

John P. Prall
Chairman

Carol L. Boylan
Recording Secretary