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NYC smoking ban extended to parks, Times Square

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NEW YORK — New York City's parks, beaches and even Times Square will be off-limits to smokers under one of the nation's toughest anti-cigarette laws passed Wednesday by the City Council.

"This summer, New Yorkers who go to our parks and beaches for some fresh air and fun will be able to breathe even cleaner air and sit on a beach not littered with cigarette butts," Mayor Michael Bloomberg said after the 36-12 vote.

The smoking ban will cover 1,700 parks and 14 miles of public beaches plus boardwalks, marinas and pedestrian plazas like the one in the heart of Times Square. The ban goes into effect 90 days after Bloomberg signs the bill; the mayor has 20 days to do it.

States and cities from Maine to California have banned smoking in public parks and beaches, but New York is pursuing one of the widest-reaching urban bans. Smoking is also prohibited in Los Angeles city parks and in Chicago parks with playgrounds.

Supporters of the New York ban said exposure to secondhand smoke poses health risks.

"The statistics don't lie: Secondhand smoke kills," Council Speaker Christine Quinn said. "With this bill, all New Yorkers can now breathe easier and breathe cleaner air."

A law banning smoking in New York City bars and restaurants went into effect in 2003.

Councilwoman Karen Koslowitz voted for the latest ban despite her ambivalence about earlier anti-smoking measures that forced her outdoors in bad weather when she was a smoker.

"My grandson used to tell me, 'Grandma, you're going to die,'" Koslowitz, now a nonsmoking legislator, said in announcing her vote.

Outside on Wednesday, the wet, raw winter weather didn't seem to bother Cal Johnson as he strolled through the park in front of City Hall, puffing on a cigarette.

"I guess I'll have to stop smoking in this park," said the 68-year-old retired Wall Street analyst when he was told of the anti-smoking vote.

However, "in principle, I support this ban on smoking - even though I'm a smoker," said Johnson,

adding he'll smoke on a nearby street where he lives once the new law kicks in.

The expanded smoking ban will give the city's Parks Department the power to slap violators with quality-of-life summonses, which are tickets for minor offenses like panhandling or public urination that typically carry fines of under \$100.

However, Councilwoman Gale Brewer, the bill's prime sponsor, said the ban isn't intended to be a legally "punitive program." She said the city expects the law will be primarily self-enforced, with residents warning anyone who lights a cigarette in a park or on a beach that it's illegal. Police won't be responsible for enforcing it, she said.

Smokers'-rights groups held protests against the ban after city officials announced last fall that they were pursuing it.

And on Wednesday, some of the dozen council members who voted against it said they believed the ban violated individual freedoms.

Councilman Erik Dilan called the ban "an infringement on the rights of people," adding sarcastically, "So now, if anyone wants to smoke, they'll have to smoke in the bike lane."

Health and environmental advocates applauded the council vote.

"Thanks to this policy, public spaces intended for outdoor recreation will now be available for use in the healthy manner they were intended," said Sheelah Feinberg, executive director of the NYC Coalition for a Smoke-Free City.

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