

Calabasas Snuffs Out Public Smoking

- **Citing health concerns, the small West Valley city takes a stand that even some of its nonsmoking residents say may go too far.**

By Amanda Covarrubias, Times Staff Writer

Nestled amid rolling hills on the western edge of the San Fernando Valley, Calabasas has become an unlikely trailblazer in the debate over secondhand smoke — and even some nonsmokers wonder whether their upscale suburb has gone too far.

The city of 30,000 this week adopted an ordinance — considered by experts to be one of the toughest in the nation — strictly regulating smoking in public places. The rule bans smoking in outdoor spaces when other people are in the area.

Backers argue that the campaign is just another step in improving their town's quality of life. But others say the rules go too far.

"Everything is forbidden here," said Tal Genin, a smoker and mother of two who moved to Calabasas from Israel four months ago. "No skateboarding, no rollerblading; you can't swim in the lake. It's like 'The Truman Show': Everything looks really nice, but you can't live life."

"The push has been the brainchild of Mayor Barry Groveman, a former prosecutor of environmental crimes who co-wrote California's landmark Proposition 65, a 1986 law requiring businesses to provide warnings if they expose people to potentially dangerous substances.

"We put an awful lot of time into preserving open space, into building trails and into making clean water," he said. "But it always struck me as odd to go through all the effort, but then you walk through a restaurant and walk into a cloud of foul, dangerous air. We were encouraged by several residents who felt enough is enough

Calabasas' law, approved Wednesday, is intended to protect residents from the health hazards associated with secondhand smoke by restricting where people can smoke outdoors.

Officials are still working out the details of the ordinance, but the intent is to prohibit smoking in public areas where both smokers and nonsmokers congregate. Groveman said he hoped that the law would prompt operators of spaces such as malls and restaurants to establish convenient, segregated "outposts" where customers could smoke, much like airport smoking areas.

The new law will work like this: If someone is smoking in a public area in violation of the ordinance and is asked by another person to extinguish his cigarette, cigar or pipe and the smoker refuses, then the offended person can file a written complaint with the city attorney's office.

The city attorney can then decide whether to pursue the matter, which would mean contacting the smoker about having violated the law.

The City Council has also been debating proposals that would ban smoking in cars that children are riding in, as well as on apartment patios, though no action has been taken on those ideas.

"We are not trying to pit neighbor against neighbor," Groveman said. "We're trying to do this in the least punitive and least disruptive way. But we mean it. We hope that people who believe in their right to smoke equally believe in a person's right to breathe clean and healthy air."

Groveman said the city had received thanks from residents who are glad it was trying to protect their health. But at the Calabasas Commons mall, some residents were left shaking their heads.

Larry Klevit, who was smoking a cigar outside a coffee shop, said the city was out of line.

"Are they going to tell me how to parent my child too?" asked Klevit, an entrepreneur who lives in Calabasas. "What are they going to tell me next? I respect people's freedoms and rights, but at some point, you're taking away our freedom to smoke. I understand the idea behind the ordinance, but we're outside, not in a food court or a restaurant."

His colleague and fellow smoker Christine Childers agreed.

"People can choose not to sit next to us," she said. "They're free to move. We're not bothering anyone."

Even nonsmoker Linda Jones, who was bothered by Klevit's smoke wafting to her side of the outdoor seating area, said she thought the ordinance was over the top.

"I think it's fabulous, but I don't think it's right," Jones said. "People have the right to kill themselves. His smoke bothers me, but I don't have to sit here."

The Calabasas effort is the latest push to make it harder to smoke in public spaces in the Southland. Two years ago, some cities along the Southern California coast approved bans on beach smoking.

Other communities have banned smoking in parks, at sports venues and even in waiting lines. Palo Alto bans smoking at bus and train shelters, at public phones and within 20 feet of entrances to public spaces, according to a staff report prepared by the city of Calabasas.

It's too early to tell whether Calabasas' new ordinance will bring a legal challenge or whether it will result in the "smoking outposts" that supporters hope for. But Jones said the council should drop the matter and focus on more important safety issues — at least important in her bedroom community.

"They should be working to get people off their cellphones when they drive," she said.