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## **Time to Go Smoke-Free**

**Surfside, Conway right to look into smoking limits**

Should smokers be deterred from lighting up in bars, restaurants and other public places where smoking is now legal? Surfside Beach Town Council will tackle that question Monday. And City Councilman Tom Anderson proposed last week that a similar ban be imposed in Conway.

These municipalities may end up enacting bans to deliver employees and nonsmoking patrons from the proven evils of secondhand smoke. Or if the councils can't bring themselves to be the "bad guys" for smokers, they may opt to pressure restaurant and bar owners to "voluntarily" adopt smoking restrictions on patrons.

Understandably, smokers see these anti-smoking initiatives in Surfside Beach and Conway as an assault on their rights. Last week, after word of Anderson's Conway initiative appeared in The Sun News, one anguished Opinion Blog writer asserted that "cities and town that are [trying] to ban smoking in public places such as restaurants and bars is taking away our rights as smokers in [the] USA, the land of the free," adding, "if you don't smoke you don't have to [sit] on the smoking side of the restaurants."

This is an understandable but not necessarily defensible sentiment. We do live in the land of the free. But the courts have always allowed the rights and good health of others to restrict our freedom to act as we please. That's why smoking is already prohibited in government buildings, schools and in private buildings open to the public. It is disingenuous for smokers to pretend that steps taken to protect the public from tobacco smoke are an assault on their rights.

As the sponsors of the Surfside Beach and Conway proposals recognize, tobacco smoke is no respecter of smoking-no smoking boundaries in most restaurants. And even if bar and restaurant customers can escape from the noxious smell and physical dangers of cigarette smoke expelled from smokers' lungs, the people who work in these restaurants can't. That provides local councils ample public-policy justification for adopting out-and-out bans.

Those who object to such restrictions, however, may turn out to have a friend in the S.C. Supreme Court. Justices are considering challenges to other S.C. municipalities' anti-smoking ordinances. The state's clean indoor act, adopted in 1990, restricts smoking in public buildings but exempts bars and restaurants from the restrictions. So Sullivan's Island in Charleston County used its power under the S.C. home-rule statute to enact an ordinance banning smoking in bars and restaurants inside town limits. Some other S.C. municipalities have followed suit.

The hope must be that the S.C. high court rules in favor of the municipalities, and not only because restaurant and bar patrons and employees deserve protection (if local councils care to accord it) from secondhand smoke. Local governments also need and deserve the power to fashion ordinances that capture and codify the feelings of a majority of residents. That's what home rule is all about.

No one we're aware of has surveyed Conway and Surfside Beach residents to determine whether they favor smoke-free bars and restaurants. But if such a survey were done, we'd bet, the majority - including some smokers - would support a comprehensive public-places smoking ban.

For that reason, Surfside Beach Town Council and Conway City Council should not allow the pending Supreme Court decision to deter them from doing what's right. Given the growing local public demand for quality-of-life improvements across the board, a ban on smoking in public places constitutes an idea whose time has arrived.