

Coalition Rekindles Fight Over Smoking

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By MATTHEW GRAHAM

A group of bars and restaurants has joined with the Boone Liberty Coalition to repeal the ordinance that bans smoking in many public places, claiming the measures have had a significant economic impact on their businesses and that the decision to allow smoking should be up to them.

"It has affected my livelihood," said Joel Thiel, owner of Otto's Corner Bar and Grill at the corner of Eighth and Walnut streets. "In the past month, we've seen our Monday through Thursday night numbers drop by half." ...

The Boone Liberty Coalition, which formed to fight the ordinance's initial passage and is leading the fight to repeal it, is relying on the businesses to collect the 2,265 votes needed.

If they collect the necessary number of signatures, the council will have two options: to immediately vote to repeal the smoking ban or to let the petition sit for 30 days. After 30 days, the ordinance would be put to a public vote in the city's next general election.

The smoking ban was passed by the City Council by a 4-3 vote on Oct. 9 and it took effect on Jan. 9.

Gary Kespohl, who is running for the Third Ward council seat to be vacated by Bob Hutton, said that because the ordinance is so controversial, he would probably like to see it put to a public vote. Doing so, he said, would give the businesses, council and patrons until November to decide.

"I think they ought to give (the ordinance) a chance," Kespohl said. "In the cities where they have passed this ordinance and enforce it, it takes about 6 or 8 months for people to really get used to it. I think the customers will come back to those places."

He also said it's too early to make judgments on the ban's business impact.

"(Business owners) need to give this a chance I think," he said. "With the weather like it's been, a lot of people aren't getting out at night. And I think that's down-turned that business somewhat. And maybe they should hold off on passing judgment on this until the weather clears up a little bit ... And I don't know that's the reason, but I bet it adds to the downturn."

Kespohl said he understood arguments on both sides and that it's a difficult balance between civil liberties and the public health. He said he'd have to hear more information before making a solid decision.

Business owners insist the ordinance is an infringement on their rights as private property owners and business operators.