

Restaurateurs oppose proposed Fort Worth tobacco ordinance

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FORT WORTH — Mom and Pop restaurants that are too small to install costly ventilation equipment might be snuffed out of business under a proposed tobacco ordinance, restaurant owners told a City Council committee yesterday.

"I'm not even a Mom-and-Pop. I'm just a Pop, and I'm the one who'll be holding an empty wallet," said Bobby Platt, owner of Sammie's Bar-B-Q, which seats 300 customers inside and on its East Belknap Street patio.

But advocates of the ordinance said proposals to require clean air in restaurants by 2000 and to regulate smoking more severely in the workplace are fair.

Members of the Fort Worth Tobacco-Free Coalition are also pressing for rules that require tobacco products to be within view of a store's counter and that penalize minors caught with cigarettes, snuff and other tobacco products.

"Are we in for a battle? Yeah," said Cindy Smith, education manager for M.D. Anderson Cancer Network Tarrant County and a member of the Fort Worth Tobacco-Free Coalition. "It could turn into a political thing that goes into the election period."

City Council elections are scheduled May 3. Council members Virginia Nell Webber and Bill Meadows

are not seeking re-election, meaning that at least two new members will join the nine-member body. Smith said Meadows has been the "driving force" keeping an ad hoc committee working on the tobacco ordinance since January.

Key provisions of the proposal are:

- No-smoking seating would be required in all restaurants regardless of size. Under current ordinances, only restaurants with 125 seats or more must have no-smoking sections.

- By Jan. 1, 2000, restaurants with smoking sections would be required to separate smokers from non-smokers by a minimum of four feet and would be required to install a smoke ventilation or air filtration system for the smoking areas. Similar rules were adopted in Arlington in 1994.

- Businesses would be smoke-free except in designated smoking areas. Those areas would be served by separate ventilation systems or air filtration systems. Smoking, however, would be allowed in one-person offices with portable air filtration systems.

Current ordinances allow employers to adopt smoking policies and allow smoking in common meeting rooms if all people in the room agree.

- Any retail store that sells to-

bacco products to a minor two times or more in a two-year period would be required to keep such products behind its counters.

The ordinance would also make it a misdemeanor for a minor to possess, purchase, consume or accept a tobacco product. Violators could be fined \$25 to \$200 for a first conviction or \$100 to \$500 for a subsequent conviction.

Smoking would be allowed in bars that do not admit minors, in hotel and motel rooms and in retail tobacco stores, under the proposal.

Meadows said he will offer the ordinance for council discussion in two weeks. He said he would like to include an appeals process for restaurant owners who can demonstrate financial hardship.

"What is on the table today is in fact a compromise that was hammered out absent the anger and the acrimony and contentiousness that has seemed to surround the consideration of similar ordinances in other places," Meadows said.

Representatives of Southland Corp., the Dallas-based company that owns the 7-Eleven convenience store chain, asked the committee to delay consideration of the tobacco ordinance until after state lawmakers finish debate on statewide rules for where stores may display cigarettes, snuff and other tobacco products.