



Health Summary & Observation Report

August 2003 – December 2006

Lincoln Smoking Regulation Act (LSRA)

January 23, 2007

Lincoln-Lancaster County Health Department

Health Promotion & Outreach Division

Tobacco Prevention Program

441-6225

Summary Report - Lincoln Smoking Regulation Act

INTRODUCTION

In June 2004, the Lincoln City Council adopted an ordinance that eliminated smoking in nearly all indoor public places and workplaces known as the Lincoln Smoking Regulation Act (LSRA). The intent of the ordinance is to further protect the health, safety, and welfare of Lincoln residents, employees, and visitors from the health risks associated with secondhand smoke. Lincoln was the first local government in the state to institute a comprehensive law on smoking since the State of Nebraska enacted the Clean Indoor Air Act in 1979.

Implementation of the ordinance occurred in two phases to give businesses additional time to prepare. On November 22, 2004, the Lincoln ordinance went into effect. However, there were no citations or enforcement actions taken until January 1, 2005.

CONTEXT

Several key components are essential in creating a complete picture of the impact of a new smoking ordinance. Health impact and economic impact are the two most reviewed. A number of factors contribute to measuring these impacts. This report is a summation of what is known about health factors, including: public opinion surveys, business compliance, enforcement, adult smoking rates, secondhand smoke exposure, and indoor air quality.

“The City Council does hereby declare it to be the public policy of this City to encourage places of employment and public places to reduce the health and safety risks posed by smoking in places of employment and public places. The City Council authorizes the Health Director of the Lincoln-Lancaster County Health Department and law enforcement to administer and enforce this Chapter within the City of Lincoln.” (Adopted by Referendum, certified November 17, 2004: Ord. 18396 §2; June 28, 2004).

- **To what extent do Lincoln residents support smoking policies?**

The majority of Lincoln residents support smoke-free environments and support the Lincoln Smoking Regulation Act (LSRA).

1. August 2003 Social Climate Survey (Nebraska Health & Human Services System)

- In 2003 – 73% of adults surveyed in Lancaster County supported a policy that prohibited smoking in all workplaces (including bars & restaurants).
- In 2003 – 75.2% of adults surveyed in Lancaster County agreed smoking should not be allowed in restaurants.

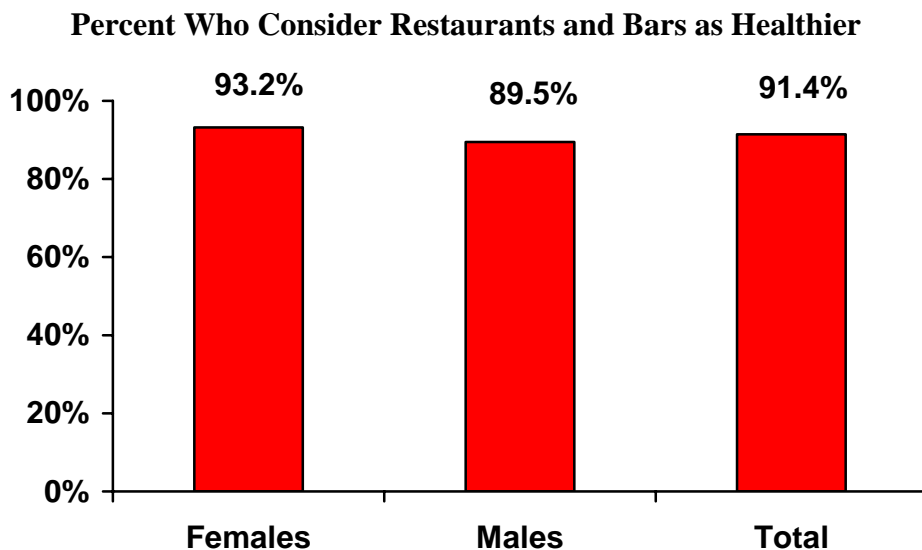
2. November 2004 Public Vote (Lancaster County Election Commission)

- In November 2004 – 105,525 Lincoln residents (78% of registered voters) voted on the Lincoln Smoking Regulation Act and 62% voted FOR the Act.

3. August 2005 LSRA Survey (Nebraska Health & Human Services System)

- 91.4% of adults surveyed in Lincoln agreed “Restaurants and bars in Lincoln are healthier for customers and employees now that they are smoke-free.” (Figure 1)
- 88.5% of adults surveyed in Lincoln stated they go out to restaurants in Lincoln the same amount or more often since Jan. 1, 2005.
- 84.6% of adults surveyed in Lincoln stated they go out to bars in Lincoln the same amount or more often since Jan. 1, 2005.
- 90.2% of adults surveyed in Lincoln stated they go out to public places such as bowling centers and bingo halls the same amount or more often since Jan.1, 2005.

Figure 1



Observation Report - Lincoln Smoking Regulation Act

BUSINESS COMPLIANCE

- **Are employers meeting the requirements of the law?**

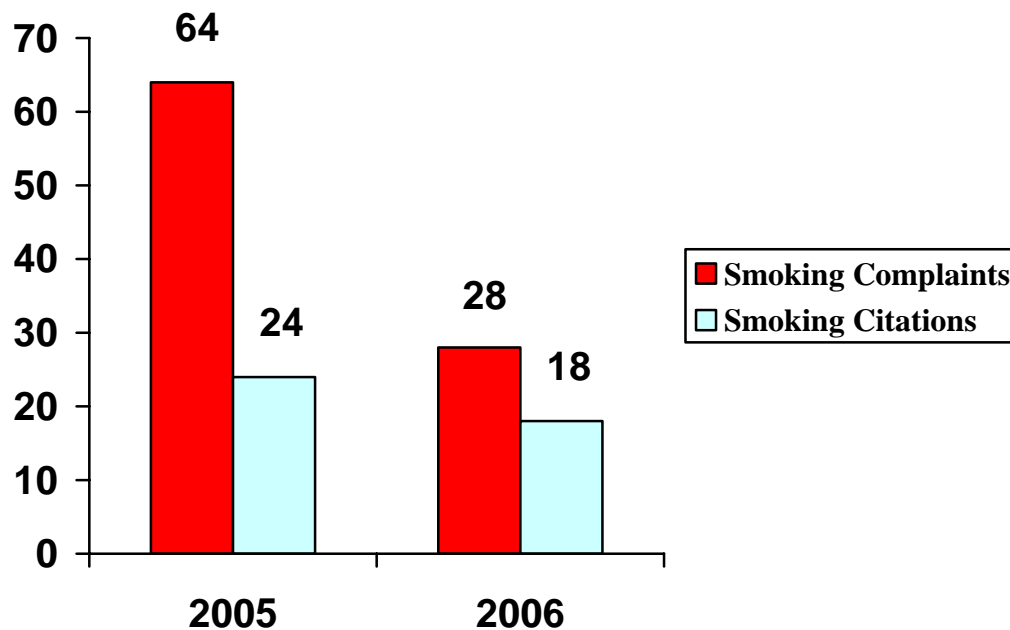
In the first year of implementation (2005) the Lincoln-Lancaster County Health Department received 64 complaints of business noncompliance from the public. In 2006, complaints received declined to 28 (Figure 2). Health Department employees follow up on these complaints with a personal visit to the business and provide signage and other material to help them avoid further action from the Lincoln Police Department. In addition, all establishments with food permits are inspected at least once a year and smoking violations are part of these inspections. Of the more than 3,000 food establishment and bar inspections done in Lincoln in 2005 and 2006, only 4 were found to show evidence of violating the indoor area regulation of the LSRA. Businesses with food permits include: restaurants, bars, retail food stores, convenience stores, bakeries, food warehouses, food processors, institutional food services and county correctional facilities.

- Are businesses and individuals being cited for noncompliance?

The Lincoln Police Department issued 24 citations for smoking violations in 2005 (19 individuals & 5 business owners). In 2006 the number of citations fell to 18 (15 individuals & 3 business owners)

Figure 2

Number of smoking complaints received and number of smoking citations issued



Observation Report - Lincoln Smoking Regulation Act

HEALTH – RISK BEHAVIOR

- Have tobacco-related behaviors changed?

According to the 2003 Behavioral Risk Factor Survey, the adult smoking rate in Lancaster County and the State of Nebraska was 23.7% and 21.2% respectively. By 2005, the smoking

rate had declined to 17.1% in Lancaster County, but had stayed constant for the state at 21.3% (Figure 3). This decline represents an estimated 12,117 fewer smokers in Lancaster County. In addition, 15,228 people reported that they had stopped smoking for one day or longer because they were trying to quit smoking in 2005. **Smokers** in Lancaster County who report having rules against smoking in their homes also increased in 2005 to 62.1%, while only increasing slightly across the state to 42.4% (Figure 4).

Figure 3
Adult Smoking Rate

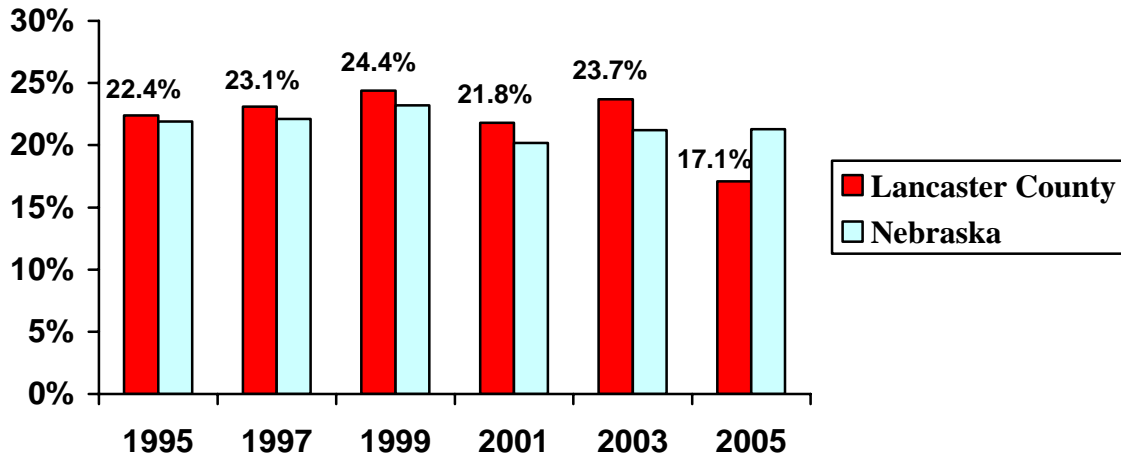
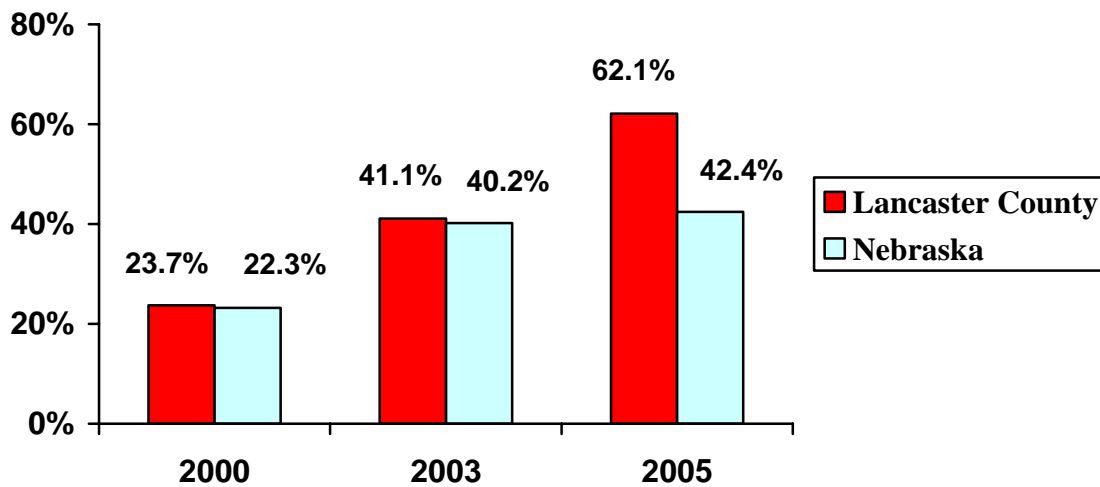


Figure 4
Percentage of smokers who have rules against smoking in the their home



Observation Report - Lincoln Smoking Regulation Act

HEALTH – AIR QUALITY

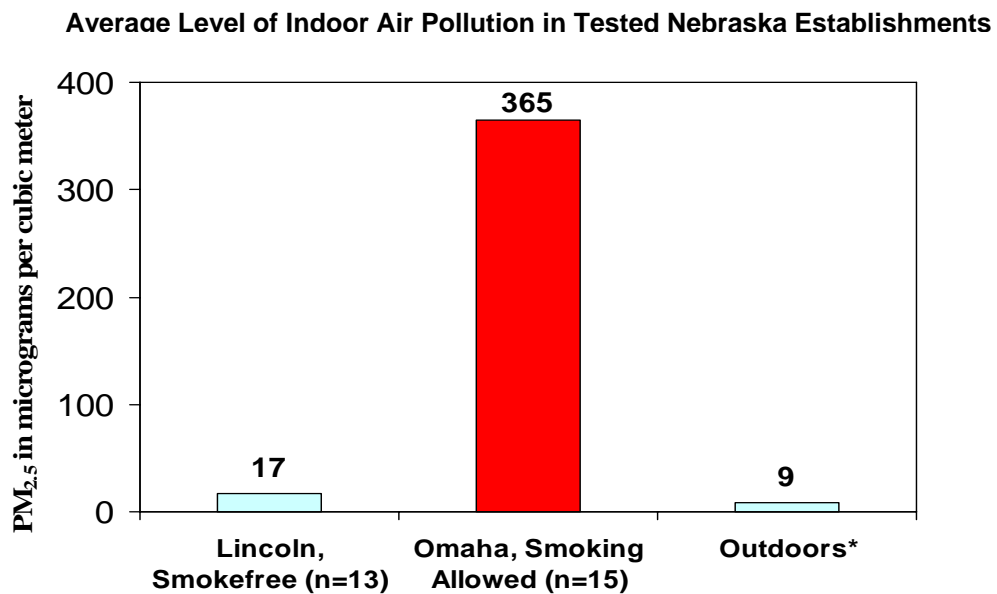
- Has tobacco smoke-specific indoor air quality improved?

Secondhand smoke is a complex mixture of several thousand individual gaseous and particulate compounds, many with known adverse health effects. Numerous studies have demonstrated that smoke-free policies reduce harmful indoor air pollution by 80-90 percent.

In December 2006, indoor air quality was assessed in 28 locations in Lincoln and Omaha by Roswell Park Cancer Institute. Key findings from the Air Monitoring Study include:

- The average level of fine particle indoor air pollution was 96% lower in Lincoln, where all venues are smoke-free, compared to Omaha, where smoking is allowed (Figure 5).
- Employees in Omaha establishments permitting indoor smoking are exposed to levels of air pollution 5.6 times higher than 24-hour fine particle standard established by the U.S. Environmental Protection Agency.
- The strong smoke-free workplace ordinance in Lincoln is effectively protecting the health of workers and the public - while at the same time of the study - those in Omaha were being exposed to harmful levels of indoor air pollution.

Figure 5



*2006 Average for Omaha and Lincoln Nebraska. 2006 US EPA Air Data report

For more information about the full Lincoln and Omaha Air Monitoring Study, please contact Roswell Park Cancer Institute at (1-877-275-7724) or at their website: <http://www.roswellpark.org>.