

# Montgomery County considers partial smoking ban

## Proposal would forbid lighting up at some playgrounds

by Erin Cunningham, Staff Writer

Smokers would be banned from lighting up in common areas of at least 1,200 properties under a proposal being considered by the Montgomery County Council.

The regulation, which received a mixed reaction from a council committee Thursday, would prohibit smoking in hallways, laundry rooms, lobbies or other indoor common areas of multi-family homes, such as apartment complexes or townhouse developments. The ban would not apply to outdoor common areas, except playgrounds.

Councilman George L. Leventhal (D-At large) of Takoma Park, who authored the regulation, also seeks to expand the ban to smoking on all private playgrounds not just those that belong to multi-family homes. This would include playgrounds that are overseen by homeowners associations, but not a playground in the backyard of a single-family home.

“If you are exposed to secondhand smoke under these circumstances, it is not fair,” he said during the Rockville meeting.

Bruce Bereano, a lobbyist for the state’s tobacco wholesalers, said Leventhal’s regulation is another step toward an outright smoking ban.

“This is really a de facto ban on smoking in Montgomery County,” Bereano said.

Leventhal said he considered a complete ban on smoking in multi-family housing, but determined a majority of the nine-member council did not support such a policy.

The full council is expected to vote July 12 on the partial ban.

The council’s Health and Human Services Committee, which Leventhal chairs, voted Thursday to support the ban on smoking in indoor common areas. Leventhal supported expanding the ban to include all private playgrounds, but Councilman Craig L. Rice (D-Dist. 2) of Germantown did not. Councilwoman Nancy M. Navarro (D-Dist. 4) of Silver Spring was not at the meeting to break the tie.

Enforcement of the partial ban is expected to cost the county about \$11,000 annually.

Rice said he takes his children to a playground near his Germantown home that would be subject to the proposed ban. And while he does not want them exposed to second-hand

smoke, he questions whether his rights trump those of smokers who take their children to the playground.

Montgomery County already outlaws smoking in workplaces and restaurants. The county does not have the authority to ban smoking in parks overseen by the Maryland-National Capital Park and Planning Commission.

Leventhal said his proposal closes a loophole that allows people to come into contact with dangerous secondhand smoke where they live and play.

Bereano questioned the lawmaker's motives in proposing the ban.

"The anti-smoking, anti-tobacco people have long used children as the Trojan horse for their real agenda," he said.