



Press Coverage: Smoke-free Laws Do Not Harm Business

April 18, 2005

Study: smoking ban not affecting bars, restaurants in Lexington

Associated Press (KY)

2-3

April 4, 2005

Restaurants, bars gain business under smoke ban

Boston Globe (MA)

4-6

March 29, 2005

Celebrating the Success of a Smoking Ban

Reuters

7-8

March 22, 2005

Restaurants doing well with smoking ban

Pictorial Gazette (Guilford, CT)

9-10

March 21, 2005

Editorial: Smoking ban is healthy for restaurant business

Dallas Morning News (TX)

11

March 8, 2005

Smoking ban worries turn to ashes: State tax figures show more people are eating out since law went into effect

The Patriot Ledger (Quincy, MA)

12-13

February 6, 2005

As Air Clears, Even Smokers Are Converted

The New York Times

14-16

January 23, 2005

Cigarette curbs don't snuff profit at most bars, eateries

The Denver Post (CO)

17-20

August 9, 2004

Eateries mark smoke-free year

Indiana Daily Student

21-22

August 05, 2004

Clubs see clear benefits to ban

The St. Paul Pioneer Press (MN)

23-24

July 8, 2004

Smoke-free restaurants receive rave reviews

Times Herald (Port Huron, MI)

25

July 3, 2004

Smoke Ban Isn't Snuffing Eateries

The Albuquerque Journal (NM)

26

July 2, 2004

Smoke ban did not hurt city, group says

The Albuquerque Tribune (NM)

27

June 28, 2004

Sales Up Despite Ban on Smoking

The Washington Post (DC)

28-29

April 18, 2005

Study: smoking ban not affecting bars, restaurants in Lexington

Associated Press (KY)

LEXINGTON, KY - A year-old smoking ban in Kentucky's second-largest city hasn't affected business in bars and restaurants, according to a study released Monday. Opponents of the ban warned that it would hurt such establishments.

"Given the data we have to this point ... we're not seeing a post-ban effect," said Eric Thompson, an economist at the University of Nebraska-Lincoln and one of the study's authors.

The University of Kentucky study looks at employment figures from restaurants, bars and hotels, business openings and closings and payroll withholding taxes since the ban, passed by Lexington's Urban County Council, went into effect in April 2004.

The study compares the post-ban numbers to the same data from up to five years before Lexington went smoke-free in most public places.

The study was a joint effort by the Tobacco Policy Research Program and the Gatton College of Business and Economics. It was paid for by a UK internal research grant program.

It will play a role in whether the Urban County Council decides to rewrite the ordinance, said Councilman David Stevens, chairman of a committee that will evaluate the ban after its one-year anniversary later this month.

The committee, consisting of proponents and opponents of the smoking ban, will have until July 10 to recommend any revisions to Lexington's law.

The committee will also consider a study that the Lexington-Fayette County Food and Beverage Association is expected to release within the next month.

Some of the UK study's findings are contradictory. In the five months following the ban, restaurants hired about 3 percent more employees, and bar employment remained stable.

But the study found that employee tax withholdings from restaurants decreased 12.5 percent after the ban, and employee tax withholdings from bars dropped 5 percent.

However, the decrease did not appear to be caused by the smoking ban, according to Mark Pyles, a research assistant on the study. Withholding taxes in the first few months of 2004 - before the ban was enforced - were lower than normal as well.

The study found that, after the ban went into effect, the average number of restaurant and bar openings and closings varied by less than 2 percent from the average number of openings and closings in the four years before the ban.

The study's authors concluded that, given fluctuations seen in other years, the changes were not significant, Thompson said.

April 4, 2005

Restaurants, bars gain business under smoke ban

Stephen Smith

Boston Globe (MA)

Sales and employment at Massachusetts restaurants and bars grew slightly during the first six months of a statewide smoking ban, disproving predictions that the prohibition would inflict serious damage on the hospitality industry, Harvard researchers are scheduled to report today.

As part of the study, analysts from the Harvard School of Public Health tested the air in 27 bars and restaurants both before and after the ban went into effect last July 5. The result: Dangerous cancer-causing toxins plummeted by 93 percent once cigarettes, cigars, and pipes were banished.

The findings arrive as the campaign to eliminate smoking from its last indoor public havens gains momentum not just nationally but globally, with European nations, led by Ireland, moving to extinguish the tradition of a Scotch and a smoke at pubs, nightclubs, and restaurants.

It is a movement hailed as a signal public health triumph and a sweeping social shift. But an increasing body of evidence also suggests that what's good for the health of workers and patrons may also boost the bottom line of businesses.

"Now, we can tell other states considering this kind of law: 'If you implement this law, you're not only going to have a better work environment -- you don't have to affect the economics of your hospitality industry,'" said Gregory Connolly, an author of the Harvard study and former chief of the tobacco control program at the Massachusetts Department of Public Health, where he was an ardent champion of initiatives to stop smoking.

The Harvard researchers reviewed state tax records for all restaurants, bars, and nightclubs from July through December of last year -- the first six months of the statewide ban -- and compared them with receipts for the comparable period in previous years.

To make an apples-to-apples comparison, the researchers took into account inflation. Even after doing that, they found that tax collections on meals rose about 9 percent after the ban went into effect compared with the July through December average for 1999 through 2003. The researchers also found that alcoholic beverage excise tax collections remained essentially steady.

Similarly, the figures showed a slight rise in the number of people working in restaurants and bars.

"We had anticipated that and projected that, but no one believed us," said Joyce Redford, director of the North Shore Tobacco Control Program, which covers nine cities and towns. "Now look: Lo and behold, it's exactly what happened."

Even the business alliance that once stood determinedly in opposition to the ban, sending it to repeated defeats on Beacon Hill, concedes that the law has had no persistent negative effects.

"It caused kind of a minor blip in business at first," said Gail Anastas, director of communications for the Massachusetts Restaurant Association. "But then they did things to attract people back. Everybody just wanted a level playing field, and when it went statewide, it made it the same for everyone."

The Harvard research was underwritten by the Flight Attendant Medical Research Institute, a nonprofit organization that was an outgrowth of a federal lawsuit filed against the tobacco industry by airline employees, who charged that secondhand smoke in airplane cabins had caused cancer.

The statewide smoking ban, approved overwhelmingly by legislators and signed into law last year by Governor Mitt Romney, ended a patchwork of tobacco prohibitions that had begun one evening in November 1993. That's when the people of Brookline, gathered in Town Meeting, enacted what was then the most comprehensive smoking ban in the commonwealth's history.

In the years that followed, dozens of cities and towns approved bans, including Boston and most of its suburbs.

Almost overnight, lawmakers who once stood in rigid opposition to a statewide ban became equally staunch proponents.

Their zeal was frequently more political than medical: phones on Beacon Hill rang with calls from constituent restaurant and tavern owners fearful that competitors in communities without bans would poach smoking customers. "Level the playing field" became the rallying cry.

Brookline conducted some of the earliest studies evaluating the economic consequences of smoking bans and found that restaurants and bars overall in the town weren't hurt by the prohibition.

"It may happen that there are losses for some individual businesses that have staked their entire revenue stream on smokers," said Alan Balsam, Brookline's public health commissioner. "But those establishments are few and far between."

Businesses that violate the statewide ban are subject to fines of up to \$300, and smokers can be hit with penalties of up to \$100. But cities and towns have found that once patrons and business owners have time to get used to the rule, compliance becomes uniform.

In Boston, where smoking was banned in May 2003, the Public Health Commission has recorded just a dozen violations since the start of this year, and none of them was for illegal smoking. Instead, they involved infractions such as failing to post the required no-smoking signs.

The state Department of Public Health as well as local health boards recorded a total of 498 complaints about improper puffing during the first six months of the regulation. It turned out that about two-thirds of those calls came from restaurant and bar workers complaining that their own employers weren't doing enough to prevent smoking, said Eileen Sullivan, director of tobacco control policy at the state public health agency.

The Harvard researchers found vastly different situations before and after the ban at the bars and restaurants they monitored in five cities, Lynn, Malden, Quincy, Waltham, and Worcester. Before the ban, smoke got in their eyes.

"When we went back after the ban," said Carrie Carpenter, one of the Harvard research analysts, "it was much more enjoyable to go in there. It was more like a restaurant and less like a dirty bar."

George Harrington has run a restaurant and bar in downtown Salem for 15 years, and on Friday night, his Lyceum Bar & Grill was electric with activity. There was a time when his bar was a haven for inveterate smokers, so he greeted a tobacco ban with trepidation.

But, then, something unexpected happened.

"We're serving a lot more food at the bar," Harrington said, over the clink of glasses and clatter of plates. "People like sitting at the bar, chatting and eating. They didn't do it before because there might be somebody sitting next to them smoking. That's been a major plus for our bar business.

"And now I can wear a shirt two days in a row."

March 29, 2005

Celebrating the Success of a Smoking Ban

Jodie Ginsberg

Reuters

DUBLIN - Ireland's pioneering smoking ban has won widespread support, figures published on Tuesday showed, despite fears the law is putting pubs out of business.

The ban on smoking in restaurants, pubs and workplaces, introduced exactly a year ago, had been expected to meet widespread resistance in a country where the pub culture of a drink and a smoke were considered part of its life blood.

Instead, the sight of smokers huddled outside pub doors is now as familiar as a pint of Guinness.

"The general support for this health initiative is extremely high and has increased further since its introduction, even among smokers -- and exceeds all expectations," said anti-smoking lobby group ASH.

Figures from an independent survey conducted earlier this month for the government's Office of Tobacco Control show 93 percent of people think the ban is a good idea.

Similar laws had been introduced before in cities and states like New York and California, but Ireland was the first country to introduce a nationwide ban. A number of other countries, including Malta, Norway and Italy, have since followed suit.

"As expected, the scaremongering predictions, such as the projected loss of 60,000 jobs, have not materialized. Neither have vast numbers of public houses closed -- in fact the selling price of these establishments continues to increase," said Professor Luke Clancy, chairman of ASH's Irish branch.

COSTS DRIVE DRINKERS HOME

But pub groups insist some watering holes have been forced to close because of the ban -- mainly in rural areas.

"In County Clare alone, 26 pubs have closed in the last 12 months," said Seamus O'Donoghue, president of the Vintners' Federation of Ireland.

He said many rural publicans were now choosing not to open until the evening, cutting off a vital social link for customers living in isolated areas.

The federation wants a compromise in the law so smokers and non-smokers can use bars together. In some countries, smoking is allowed in specially enclosed areas within pubs and restaurants.

But locals say the decline of the Irish pub has more to do with high prices and lifestyle changes than the smoking ban.

Alcoholic drinks cost more in Ireland than in any other EU country -- some 82 percent above the eurozone average -- according to figures from the EU statistics office Eurostat.

"One year on, there's no doubt that sales have been hit by the ban, but prices are the bigger issue," said Bettina MacCarvill, associate director at market research group Millard Brown IMS.

"Many people are opting to spend more on their leisure time at home or in the homes of friends and family, rather than pricey nights out in bars and restaurants."

But for those smokers who still venture out for a taste of Ireland's famed "craic" (fun), the ban can have some benefits.

Micheal Martin, the health minister who introduced the law, said smokers gathered outside pubs and clubs were striking up conversations with new people -- sometimes sparking romance.

March 22, 2005

Restaurants doing well with smoking ban

Henry E. Josten

Pictorial Gazette (Guilford, CT)

REGIONAL - Has the state smoking ban in restaurants, adopted last year, hurt business? Not according to the findings of a Pictorial Gazette survey of a cross-section of valley-shore restaurants contacted during the past week. In fact, the verdict was almost unanimous. Only one of 15 owner/manager respondents said the ban had resulted in any significant lasting damage to business.

Bob Hansen, who owns two restaurants in Old Saybrook, the long-established Johnny Ad's and the newer Penny Lane Pub, said he has no problem with the ban. He acknowledges that the ban may have driven a few hard-core smokers away but feels that loss has been more than made up by the smoke-free atmosphere inside his restaurants, which has attracted more family diners. In the warm weather months, however, he does have some tables outdoors at both restaurants, where the law permits smoking as long as there is no awning to restrict the free flow of air.

At the Dock & Dine at Saybrook Point the manager, Stacy Conn, notes that the main dining room had been smoke-free long before the ban went into effect, but smoking had previously been allowed in the lounge. When the lounge also went smoke-free, it actually helped business, she believes, because a lot of diners who earlier had shied away from the lounge because of the smoke, now welcome tables there, most of which have a commanding view of the Connecticut River as it flows by toward Long Island Sound. Spokespersons at the Griswold Inn in Essex, the Bee and Thistle Inn in Old Lyme and the Cuckoo's Nest in Westbrook said they enjoyed having their establishments smoke-free and that the state ban did not adversely affect them.

Gary Brink, of the family that owns Pat's Kountry Kitchen in Old Saybrook, and Matt Lariviere, of the family that owns the Westbrook Lobster Restaurant and Market, both pointed out that their restaurants had "no smoking" policies long before the ban went into effect and they continue to be very happy with the way business is going.

Respondents at Lupo's, the Pattaconk 1850 Bar & Grille and the Sage-American Bar & Grill, all in Chester, commented that, while the ban might have briefly hurt business when it first went into effect, business picked up again shortly thereafter and is continuing at a brisk pace at the present time.

Spokespersons for the Copper Beech Inn in Ivoryton, the Angus Steak House in Old Saybrook and Café Routier in Westbrook likewise indicated they were happy with the ban and continue to thrive although, like all restaurants near the shore, they are busier in the summer than in the type of long, snowy winter currently being experienced.

The lone dissenter in the survey was Michael DiBella, co-owner of Luigi's Restaurant in Old Saybrook, who told this newspaper that his business dropped off "about 15 percent" when the smoking ban went into effect and it has not bounced back the way he had hoped it would.

He cited one couple that used to dine at the restaurant four or five times a week, but they're both smokers and when the ban came and they could no longer smoke at Luigi's, they decided to have most of their meals at home, where they could still smoke as much as they wanted to.

"Oh, they still come in," DiBella added, "but now it's only occasionally."

The area's fast-food establishments, like McDonald's, Burger King and Dunkin' Donuts, went non-smoking long before the ban was enacted and all say their business has suffered no ill effects from the ban.

Oliver's Taverne in Essex, the Old Lyme Inn, the Terra Mar Grill at the Saybrook Point Inn and the Brother of Empire Restaurant in Old Saybrook were also contacted, but no one who could speak for them was available.

March 21, 2005

Editorial: Smoking ban is healthy for restaurant business

Dallas Morning News (TX)

Two years to the month after Dallas banned smoking in restaurants, there is no stampede of restaurant business heading for the smoky suburbs.

Given the hubbub surrounding the debate and the scary statistics rolled out by opponents after the first anniversary of the ban last March, surely fewer people were willing to start new restaurants in Dallas, right? Wrong. Two more new restaurants opened the year after the ban than opened the year before it. That's according to the number of new permits filed with the state comptroller's office for restaurants that serve alcohol, those most likely to be affected by a smoking ban.

Even more surprising, the number of new permits in Addison, restaurant mecca, barely remained steady, and in fast-growing Collin County, the number decreased since the Dallas ban. Both permit smoking in restaurants.

Last year, opponents rolled out a study saying \$11.8 million in drink sales was lost because of Dallas' ban. That study, done for the Greater Dallas Restaurant Association, included the chilling warning that if Dallas didn't reverse course, it would "continue to push existing and new restaurants and hotels to the suburbs."

That perception isn't supported by the facts. It's time to move on. It's time for suburban cities to enact smoking bans of their own.

As they debate the issue, they will hear a lot of anecdotal evidence about changes in Dallas. For example, gone is the business model that allowed a popular lunch spot to transform into a nightlife hotspot, restaurant industry insiders say. High-end restaurants have been hurt by losing cigar and alcohol sales, too.

But this "under the radar" impact represents a difficult adjustment for restaurants, not a persuasive reason to side with secondhand smoke. Besides, bottom-line thinkers will give more credence to the countless studies showing how revenues increase despite smoking bans. Even according to the National Restaurant Association, full-service restaurants, those most affected by the rapidly growing number of smoking bans throughout the country, are the fastest-growing segment of a healthy industry in its 13th consecutive year of real growth.

Do cities choose to protect public health or side with economic development? There's proof now that they may be able to do both.

March 8, 2005

Smoking ban worries turn to ashes: State tax figures show more people are eating out since law went into effect

TOM BENNER

The Patriot Ledger (Quincy, MA)

BOSTON - By the best measures available, Massachusetts restaurants have seen business go up - not down - since a statewide ban on smoking in restaurants and bars went into effect July 5.

There had been predictions that the ban on smoking in all workplaces would drive people out of restaurants when they could no longer light up.

Restaurants collect a 5 percent tax on all meals, and the amount collected from the meals tax is the most frequently cited measure of the ups and downs of the restaurant industry. The more the state gets in meals taxes, the more people are eating out.

State Department of Revenue figures show meals tax receipts were up in each of the last six months of 2004 over the same period in 2003.

Meals tax receipts were up 10.6 percent percent in August - the first full month after the law took effect - over August 2003. They were up every month from August through December, when they were up 1.9 percent over December 2003. In all, more than half a billion dollars in meals taxes were collected in 2004.

While some in the restaurant industry feared the smoking ban would hurt business, "There's no evidence of that in these numbers," said Cam Huff, an analyst with the Massachusetts Taxpayers Foundation. "It's one area in which the slowly improving economy seems to be doing very well."

But some business owners said they had to spend money to get customers back after smokers were driven from restaurants and bars. A generally improving economy is also believed to be a factor in more people eating out.

Ed Morris, manager of the Fours restaurant in Quincy, said he finds it hard to believe that meals taxes are up.

"We've somewhat of a decrease in business," Morris said, "but I think a lot of that is attributable to the increase in business we saw when Boston, Braintree and Weymouth went non-smoking and people came down here."

Greg McDonald, part owner of the Chowder House and Cafe de Paris restaurants, Darcy's Pub and the Village Common Food Court in Quincy, said sales in the restaurant lounge and at the pub dropped immediately after the ban went into effect. Sales went back up, he said, but only after the owners spent money on high-definition TVs to attract new customers.

"It cost us a substantial amount of money to get the business back to where it was before," McDonald said.

Food sales contribute far more to the meals tax receipts than sales of alcoholic beverages. Ninety percent of the \$532 million in fiscal 2004 meals tax receipts came from the sale of prepared foods, while the tax on alcohol sales made up just 10 percent of those revenues, Huff said.

Gail Anastas, director of communications for the Massachusetts Restaurant Association, which represents some 5,000 food and beverage establishments, said she heard no complaints from the group's members about a drop-off in business after the smoking ban took effect.

“We didn't get calls from members saying, ‘Help, I'm going out of business tomorrow,’” Anastas said.

If anything, restaurant owners like the uniformity of a statewide smoking ban, Anastas said. Until the law took effect, half of the association's members were in towns that had already enacted local smoking bans in public places, she said.

“It kind of leveled the playing field for our members,” she said. “Now, nobody has smoking the next town over.”

The ban that took effect last July 5 prohibits smoking in all workplaces, including private offices, taxis, restaurants and bars. Those who violate the new rule will face \$100 fines. Businesses could be fined up to \$300 if they ignore the law.

There are some exemptions to the law, such as private clubs, tobacco stores that prohibit anyone younger than 18 from entering, and motel and hotel rooms.

Some restaurateurs have complained that private clubs are robbing them of business by exploiting an exemption in the smoking ban for their members and guests. The law does not specifically define “member” or “guest,” and bar owners say some clubs are defining it so broadly that just about anyone can visit a club and light up.

Copyright 2005 The Patriot Ledger
Transmitted Tuesday, March 08, 2005

February 6, 2005

As Air Clears, Even Smokers Are Converted

JIM RUTENBERG and LILY KOPPEL

The New York Times

Back in 2002, when the City Council was weighing Mayor Michael R. Bloomberg's proposal to eliminate smoking from all indoor public places, few opponents were more fiercely outspoken than James McBratney, president of the Staten Island Restaurant and Tavern Association.

He frequently ripped Mr. Bloomberg as a billionaire dictator with a prohibitionist streak that would undo small businesses like his bar and his restaurant. Visions of customers streaming to the legally smoke-filled pubs of New Jersey kept him awake at night.

Asked last week what he thought of the now two-year-old ban, Mr. McBratney sounded changed. "I have to admit," he said sheepishly, "I've seen no falloff in business in either establishment." He went on to describe what he once considered unimaginable:

Customers actually seem to like it, and so does he.

By many predictions, the smoking ban, which went into effect on March 30, 2003, was to be the beginning of the end of the city's reputation as the capital of grit. Its famed nightlife would wither, critics warned, bar and restaurant businesses would sink, tourists would go elsewhere, and the mayor who wrought it all would pay a hefty price in the polls. And then there were those who said that city smokers, a rebellious class if ever there was one, simply would not abide.

But a review of city statistics, as well as interviews last week with dozens of bar patrons, workers and owners, found that the ban has not had the crushing effect on New York's economic, cultural and political landscapes predicted by many of its opponents.

Employment in restaurants and bars, one indicator of the city's service economy, has risen slightly since the ban went into effect, as has the number of restaurant permits requested and held, according to city records, although those increases could be attributed in part to several factors, including a general improvement in the city's economy.

City health inspectors report that 98 percent of bars and restaurants are in compliance with the rules, though some critics question those statistics. Wrath at Mr. Bloomberg, at least pertaining to the smoking ban, seems to be abating.

There are still those cursing the ban as an affront to their civil liberties, and some bar and restaurant owners say that it has undoubtedly caused a decline in business. City officials say they doubt that contention, pointing to data from the first year of the ban showing that restaurant and bar tax receipts were up 8.7 percent over the previous year's. They said they were still waiting for more detailed and current data from the state.

But a vast majority of bar and restaurant patrons interviewed last week, including self-described hard-core smokers, said they were surprised to find themselves pleased with cleaner air, cheaper dry-cleaning bills and a new social order created by the ban.

All of this comes as great relief to Dr. Thomas R. Frieden, commissioner of the city's Department of Health and Mental Hygiene, who took his job on a promise from the mayor that the smoking ban would be given priority. "It was not a pleasant time," he said of the initial uproar over the ban. "There was a myth that this was very unpopular."

Dr. Frieden credits the apparent success of the new smoking rules here with encouraging other seemingly unlikely places to follow suit, or at least to consider doing so. Among them are Boston, Virginia, Australia, Ireland and Italy. Last week, the City Council in Philadelphia began reviewing a newly proposed bill to make bars and restaurants smoke-free.

The councilman who introduced the bill in Philadelphia, Michael A. Nutter, cited New York as an inspiration. "This is kind of the epitome of the song: 'If you can make it there,'" he said in an interview. "What people are saying is, 'If New York can deal with clean-air legislation, why can't we?'"

Mr. Nutter said he was not worried about the political ramifications.

Mr. Bloomberg's Republican critics have indicated they will raise the smoking rules during the Republican primary campaign as an example of what they call his Democratic tendency toward regulation. But many of the mayor's staunchest opponents said they thought the ban would have no effect on his re-election bid. One of his Democratic challengers, Gifford Miller, the City Council speaker, helped secure the ban's passage. And a leading contender for the Democratic mayoral nomination, Fernando Ferrer, has said he would not seek to overturn it.

"I thought he would lose 50,000 votes simply based on the smoking ban," said Robert Bookman, a lawyer for the New York Nightlife Association, a trade group that aggressively fought the ban. "I'm not so sure anymore."

That is no small thing for Mr. Bloomberg, who once faced hecklers in the streets because of the smoking ban, and whose drop in popularity after it was put in effect was illustrated by The New York Post in a front-page bar graph with cigarette butts.

Mr. Bookman did not dispute most of the good-news numbers the city presented in relation to the smoking ban, though he disagrees with the conclusion that the ban has not had an adverse impact on restaurants and bars.

"Clearly employment is up in New York City going into 2005 or the end of 2004 compared with the year before the smoking ban went into effect," he said. "The year before was 2002; 2002 was almost a depression in New York City. It was the recession plus the 9/11 economic impact. Everybody's doing better in New York compared with 2002."

Mr. Bookman said that the nightlife industries would be doing better still without the ban. But he conceded during an interview that his group had all but given up any lingering hope of overturning the city's provision. It is instead focusing in part on what he said were unfair enforcement issues, like ticketing bar owners for the misbehavior of smoking patrons or for an increase in noise complaints drawn by customers smoking outside. City officials say noise complaints have risen because the city's 311 complaint line has made it easier to file them, not because of outdoor smoking.

The turncoats of Mr. Bookman's once vocal movement can be found on the sidewalk on any given night. Huddled in a tent at the Bohemian Hall and Beer Garden in the Astoria section of Queens on Wednesday and chain-smoking by two heat lamps, Kate Bly, who teaches English to foreign exchange students, said she was surprised by her own positive reaction to the measure, which she had expected would be terrible.

"I was really against the smoking ban," she said. "I thought, bars are for sinful things, smoking, drinking. Now my reaction has changed. I used to feel clammy, stinky, disgusting. Now there's a nice breakup to the evening and a new crowd."

Jason Sitek, 31, said he had similarly begun to enjoy the ban, even if smoke-free bars subtract from what he used to think a New York City bar should be. "The whole nature of New York City and the bar is you can go into a smoky atmosphere," he said. "It's like Disney World now."

Still, he said, smoke-free bars have their advantages. "You realize you stop stinking, you don't smell like an ashtray," he said on Tuesday night as he smoked outside Spike Hill, a bar in the Williamsburg section of Brooklyn.

The temperature was hovering near 30 degrees, but down the street, in front of Rosemary's Greenpoint Tavern, Brian Rennie, 23, said he did not mind that he was forced outdoors to smoke. "I like going outside," he said. "I like to get fresh air."

Several smokers cited other advantages.

"I'm all for it. My dry-cleaning bill's gone way down," said John Payne, 36, who was smoking on Tuesday night outside Toad Hall, in SoHo. "And I'm smoking less."

A friend, Bill Cauclanis, 29, said, "There's a secondary scene now outside of bars -- a smoker's scene."

He added: "You can meet a girl out here. Strike up a conversation."

What is good for singles like Mr. Cauclanis is bad for bartenders, who cannot so easily go outside and who find themselves increasingly cut out of the social scene in which they centrally stood. Now, they are often placed in the role of hall monitors, chiding those who disobediently light up, said Barry Crooks, who was tending bar at Toad Hall. Mr. Crooks, an owner of Toad Hall, said he was far more worried about a falloff in business of at least 10 percent, which he said was a result of the new smoking ordinance. "It hurt the volume of business," Mr. Crooks said.

While such complaints were once more common, and perhaps more heated, there are still plenty of them. "It hurts," said John Mulvey, owner of Bridget's Public House on Staten Island.

Public acceptance of the ban has "come around a little bit," Mr. Mulvey said. Business was off 25 percent right after the ban took effect, he said, but now that decline has stabilized at about 5 percent. And while Mr. Mulvey is no longer furious over the anti-smoking ordinance, he says it bothers him that he is not free to run his business as he sees fit -- without government intervention.

Mr. Mulvey still has a champion in Audrey Silk, founder of NYC Clash, or Citizens Lobby Against Smoker Harassment. In an interview, Ms. Silk vowed to continue fighting the ban. "We're not giving up," she said.

January 23, 2005

Cigarette curbs don't snuff profit at most bars, eateries In most Colorado towns with smoking bans, business is up, sales tax data show. But where it dropped, owners feel burned.

Chuck Plunkett

The Denver Post (CO)

Long before citywide smoking bans became the rage here in Marlboro Country, the proprietor of a hippie brewpub found that going smoke-free wasn't really that risky.

"We would get the quote: 'This is the only place I will go out,'" Kevin Daly said of his customers at Mountain Sun Pub and Brewery in Boulder.

What Daly discovered more than a decade ago is becoming clearer. The consequences of barring smoking at restaurants and bars in a state where more than 81 percent of adults don't smoke aren't as dire as once feared.

A Denver Post review found that in the months after a smoking ban, cities averaged a 6.7 percent increase in sales tax collections at taverns and restaurants.

Only one town lost money. Another saw sales tax collections jump more than 25 percent.

The findings do not necessarily show that bans increase business. By comparison, Denver's restaurants and bars, which aren't limited by smoking laws, increased 7.8 percent from 2003 to 2004.

And while several taverns and bars reported losses after smoking bans were set in place, the overall restaurant and bar economy did not collapse.

The smoking bans raise a slew of questions about personal freedom, health concerns, the rights and responsibilities of restaurateurs - and even the state's image of itself as the land of the rugged individualist riding the range.

"We absolutely live in the Wild West, and nobody likes regulations and laws," said Michael Hackett, Alamosa's town manager. "But times have changed. This is the 21st century.

"Even the smokers say we need to be more considerate," Hackett said. "The majority of people are concerned about health issues and do not smoke."

Or, as lifelong smoker Randy Lown of Boulder put it: "Now, when you're a smoker, you're practically a pariah - an excommunicated, outcast pariah."

Jeffco, Denver next?

Most of the bans have been put in place within the last year or two, suggesting that the tide of support for the bans is rising quickly. Residents of Jefferson County surveyed last summer generally supported a strict ban there. Denver City Council members are expected to consider the matter again this year.

The Post's review looked at population gain for the period, and found that increases there were matched or outpaced by increases in tax collections at restaurants and taverns, suggesting that newcomers didn't account for all of the extra money.

A majority of the strictest bans were enacted last year, when the state's economy was relatively stagnant.

The paper's review fits with several studies done outside Colorado, such as one by Cornell University researchers who concluded that New York City's smoking ban has "drawn more customers to the city's restaurants."

The researchers found that, while smokers were dining out less frequently in the months immediately following the ban, nonsmokers "dined out more often and thus offset lost revenue from smokers. With nonsmokers making up a majority of the general population, smokers account for almost 2.5 times less restaurant revenues than nonsmokers."

The Post's review did find that some businesses were hurt - and hurt badly - by the bans.

"It sucks," says Mary Woitalewicz of the ban on smoking that has cleared the air - and cleared out many of her customers - at Porky's Tavern in Pueblo.

On a recent after-work afternoon, Porky's was almost empty. A man and woman sipped draft beers at one end of the bar. Down the long row of empty stools at the other end, a man played a video game.

The woman, Jolene Sanchez, quit smoking because of the ban.

But she's still a critic.

"A guy's going to crave a cigarette when they drink," Sanchez said. "This was normally a full bar. Why should they lose their regular customers? Why should they make her business go down?"

Twelve months after Pueblo's ban in 2003, taverns like Porky's have lost almost 17 percent of their business.

Woitalewicz says many of her former customers now leave town to smoke and drink.

But overall, the city's tax collections for restaurants and bars rose 2.7 percent for the period.

And some cities found that even their traditional smoking establishments were still coasting along.

When the city and county of Broomfield banned smoking in all establishments except those that separate and ventilate smoking areas - a measure called cost-prohibitive by most business owners - finance officers tracked 29 that had previously allowed smoking. They found that those businesses averaged a 2.5 percent increase in sales for the period.

Overall, sales tax collections at Broomfield's restaurants and bars grew 4.3 percent.

When the cowboy town of Greeley, like Pueblo, banned smoking anywhere the public gathers, some businesses were socked.

Some of them have lost half their sales, said Tim Nash, Greeley's finance manager.

But Nash said only one business blamed the ban for closing: a college hangout that rolled up its mat one month after the ban. Nash questions, however, whether the ban was the sole contributor to its decline.

"I think it definitely is a culture change," Nash said. "Especially here. We're still in a community that's agricultural based (with people) who lived in the country and exercised those freedoms anywhere they want."

But concerns about public health and the health of employees at restaurants and bars carried the day.

Bowled over by change

At the Classic Lanes bowling alley in Greeley, owner Ed Fickes was so overwhelmed by the ban he tried to secede from town.

Voters rejected his de-annexation measure last year, and the alley Fickes says was growing at a pace of 5 percent annually lost 15 percent of 2003 sales.

"We've owned (the alley) for seven years and never had a decrease until this year," Fickes said. "Not even for one month."

The ban's sting was especially painful, Fickes said, because he already had spent \$60,000 putting in what he called "operation-room quality" ventilation to clear second-hand smoke.

Now, Fickes says, he shakes his head at the sight of bowlers standing outside even in frigid weather to get in a smoke between games.

"I just feel so bad about how that projects how the city really thinks of a certain portion of its citizens," Fickes said. "Those people pay taxes, too."

Fickes' experience echoes the concerns of the Colorado Restaurant Association.

"Our members want us to fight for their right to make business decisions based on customer demand," said the association's executive director, Pete Meersman.

The association doesn't dispute scientific studies that find second-hand smoke is dangerous, and it wouldn't fight a statewide ban. Many of its members have gone nonsmoking voluntarily to satisfy their customers.

But Meersman fears the growing number of city bans.

"If you've invested your life savings in a restaurant and you have a lounge and it turns out that many of your customers are smokers, you'd probably be upset if your city council is going to change the rules," Meersman said.

"Even if it's better for your health and the health of your employees and your customers, it's still going to affect you economically."

Pueblo OK'd ban twice

Smoking opponents say that secondhand smoke is a class A carcinogen and the third leading cause of preventable death, so any economic argument falls short.

"Fundamentally, this is a public health issue," said Chris Sherwin, executive director of the Colorado Tobacco Education and Prevention Alliance.

And besides, Sherwin says, the great majority of potential customers don't smoke.

Only three other states have a lower percentage of smokers than Colorado.

And the nonsmoking majority seems generally uninterested in smokers' concerns. A measure to raise the state's cigarette tax passed easily last year.

And when city laws banning smoking make it onto the ballot, voters support them.

In Pueblo, they did so twice: once to uphold the City Council's ban, and again when bar owners asked to be exempted.

"It just comes down to the percentage of the population that smokes versus those who don't," said Pueblo City Manager Dave Galli.

Back in trendsetting Boulder, Mountain Sun Pub and Brewery owner Daly predicts that within five to 10 years, Coloradans will look back and marvel that restaurants and bars ever allowed the noxious fumes.

When Daly opened his brewpub in the years before Boulder's ban, he ordered ashtrays and then realized he hated eating around smoke.

Mountain Sun opened as a nonsmoking restaurant and became popular for it.

"We're going to look back on the days of smoking in restaurants and go, 'Blah,'" Daly said. "I can't believe we ever did that."

Denver Post researcher Anne Feiler contributed information to this report.

August 9, 2004

Eateries mark smoke-free year

Establishments show no drop in business from 2003 legislation

Kathlyn Von Rohr

Indiana Daily Student

Nowadays if a customer walks into a Bloomington Denny's and specifically requests a seat in the non-smoking or smoking section, General Manager Richard Frank asks the customer where they are visiting from. The surprised customers usually ask back in wonder how he could have known they were from out of town.

Frank then patiently explains about the smoking ordinance that prohibits smoking in all Bloomington restaurants, an ordinance Bloomington natives have come to know over the past year.

Aug. 1 marked the one-year anniversary of this smoking ban for Bloomington and all of Monroe County, making it illegal to smoke inside a public building. The ban was originally passed to promote public health and decrease the threat of secondhand smoke for nonsmokers. For the most part, Bloomington residents seem to be accepting the smoke-free environments. According to a survey done by the Monroe Tobacco Prevention and Cessation Coalition, 89 percent of smoke-free businesses it surveyed said "the ordinance has no affect on their business's revenue or sales."

"Initially it did (have an affect on business)," Frank said. "But now it's bounced back and people are getting used to it."

John Byers, owner of Cloverleaf Family Restaurant, said his business has been up 5 percent since the smoking ban went into effect. For the few smokers he lost, he got back other customers who were unable to eat in the midst of secondhand smoke.

Scotty's Brewhouse owner Scott Wise said he was so pleased with his smoke-free restaurant that he voluntarily made his other restaurants in other cities smoke free.

After a year of the smoking ban, the date is also fast approaching when customers will be unable to smoke in "private clubs that do not allow minors." Beginning Jan. 1, 2005, bars will go smoke-free as well, and not every Bloomington resident is excited about the upcoming change.

Local bars are working with the Monroe Tobacco Prevention and Cessation Coalition to prepare for that very reaction to the smoking ban in bars.

Jon Macy, of the Monroe County Prevention and Cessation Coalition, is currently involved in assisting local businesses during the transition toward a "smoke-free Bloomington."

"We've had a range of responses from bar owners," Macy said. "Some are concerned and some are looking forward to it. They realize that the playing field will be level when everywhere will be smoke free."

Macy said some bar owners are excited about going smoke-free because their equipment, such as big-screen TVs, will be able to last longer when not surrounded by smoke every night

Bar owners said they are also looking forward to providing a healthier environment for their workers. To help transition smoking employees, Macy said he is organizing on-site smoking cessation classes for any Bloomington business who invites them. This means that quitting experts will be sent to area restaurants and bars that have employees who want to quit smoking.

"One benefit of ordinances like this in other towns has been that the number of people who quit smoking goes up because smoking becomes an inconvenience," Macy said.

Macy is also involved in the promotion of what they are calling "smoke-free Bloomington." "I love smoke-free Bloomington" buttons have been made and signs heralding the healthier environment have been posted.

In late September, there will be a party to commemorate the one-year anniversary of smoke-free restaurants. Still in the planning stages, participating restaurants will give discounts to anyone who wears an "I love smoke-free Bloomington" button. After Jan. 1, Dave Kubiak, owner of the Bluebird, will offer \$1 off to anyone who wears an "I love smoke-free Bloomington" button.

August 05, 2004

Clubs see clear benefits to ban **Some nightspots already have gone smokeless**

PHILLIP PIÑA

The St. Paul Pioneer Press (MN)

While politicians across the Twin Cities have joined the national push to force bars to prohibit smoking, a number of watering holes already have banned cigarettes voluntarily.

Clubs in Minneapolis like the Dakota, a venerable jazz hall, and the Underground, a popular nightspot, barred smoking before city leaders passed a ban that takes effect in March. And the owners of Jetset, a modish bar in the Warehouse District, spurned cigarette smoke when it opened three years ago.

With Jetset's bare walls and minimalist furniture, the smoke-free air "just really adds to the whole feel of the place," said co-owner Susan Liesch. In addition, clothes and hair don't stink the next morning, the staff isn't breathing in fumes for eight hours and maintenance is easier, adds Lowell Pickett, co-owner of the Dakota Jazz Club and Restaurant, in reference to his own ban.

Officials in St. Paul and Ramsey and Hennepin counties are arguing over whether to completely ban smoking at bars and restaurants. The past few weeks have seen the cities of Bloomington and Minneapolis pass such measures. The rush for the new laws caught many bar owners by surprise, even as a few of them were experimenting with the idea.

But could public tastes and trends eventually change the nightclub environment without new laws? Smoke-free advocates doubt it; otherwise there would be more smokeless nightspots.

SMOKE-FREE BARS RARE

Smoke-free bars are a rarity in the Twin Cities - at least for now. Those few that already ban smoking have been pleased by their customers' response. The owners of Jetset thought they'd give it a try when they opened. It would be easy enough to allow smoking later if business suffered. It didn't. In fact, they are happy with the reactions of employees and customers, Liesch said. Other bars caught on to the idea.

"I like the fact there is no smoke in the air," said Rick Grand, while enjoying a smokeless evening Sunday at the posh Martini Blu. Grand, who works at a smoking bar where cigars are a big seller, doesn't smoke. He enjoys going to the smoke-free Martini Blu in downtown Minneapolis for a fresh scene and air, especially when he is spending time with friends who don't smoke.

A number of restaurants in the Twin Cities also recently banned smoking in their bars. However, letting the market police itself, instead of passing laws, was derided as an option, said Jim Farrell, executive director of the Minnesota Licensed Beverage Association.

Many bar owners, who have become frustrated with new regulations and taxes, see a ban as yet another attack on their bottom line. Even Liesch, who's bar voluntarily banned smoking years ago, is wary of yet another restriction being forced upon bar owners.

The smoking bans may be inevitable, Farrell said, but their advocates were unwilling to compromise even a little to help bar owners ease into the new restrictions.

ISSUE TOO IMPORTANT

Anti-smoking leaders dismiss that criticism, saying the ban is a public health and workplace issue that is too important to be compromised.

"It's like telling construction workers they can wear their hardhats if they want to," said Robert Moffitt, spokesman for the American Lung Association of Minnesota. "There was a time when most people didn't wear seatbelts, where we didn't worry about drinking and driving as much as we should have." The smoking bans are an inevitable trend that protects the public and bar employees from the ills of secondhand fumes, he said.

Even as a few bars were making the move, it was unlikely that the entire industry would follow without new legislation.

"Can the average person find one bar with no smoking? If they are out there, I don't know where they are at," Moffitt said.

Puffing on a cigarette inside a crowded Hennepin Avenue bar Saturday night, Brian Thurn of Minneapolis said smoke-free bars are fine - just not for him.

"Why would I go there?" he asked. He doubts the new Minneapolis smoking ban will stop smoking. In fact, he worries about winter, which can be brutal in Minnesota. He believes more people may host parties where smoking is allowed, rather than trek downtown to stand out in the cold.

EFFECT ON PERFORMERS

So far, that inconvenience has been negligible, said Pickett of the Dakota. It was during an evening set several years ago when Pickett noticed a saxophonist coughing heavily offstage.

For musicians, breathing is key to their livelihood. Pickett immediately made shows smoke-free for national touring acts. When the Dakota moved from St. Paul into its new digs, he opted after just three days to go entirely smoke-free because it was impossible to isolate fumes at the Nicollet Avenue location.

"Some think of the romance of a smoke-filled jazz club. But it's hard on the singers and the musicians," Pickett said. He doesn't know if the ban has had any impact on his business, since the change was made as the Dakota relocated.

Pickett said, "The staff is happy, a lot of the customers are happy, and our clothes don't smell like smoke in the morning."

July 8, 2004

Smoke-free restaurants receive rave reviews

Customers, owners happy with new rules

ERIN KOSNAC

Times Herald (Port Huron, MI)

It's been more than three months since customers have been able to smoke a cigarette at the Raven Coffeehouse or Loxton's Family Restaurant.

So far, the decision to go smoke-free has received praise from customers and even has given business a little boost, the restaurants' owners said.

On March 25, the Raven in Port Huron and Loxton's in Port Huron Township officially went smoke-free with the help of a program started last summer by the St. Clair County Tobacco Coalition.

"It's really helped us firm up our business," Raven owner Jerry Edson said. "Almost everything we hear about it is positive. The complaints are really few and far between."

Loxton's waitress Josette Fontaine said the restaurant has received nothing but positive feedback about its decision to go smoke-free.

"We haven't lost any of our clientele," Fontaine said. "And we've gotten an awful lot of compliments."

Fontaine said all the restaurant's regulars who were smokers have remained. She said the new smoke-free status even has brought in some new customers.

William McGinnis smokes, but he doesn't let that stop him from occasionally going to Loxton's. McGinnis, 43, of Port Huron agrees with banning smoking in restaurants but said establishments need to make sure they have an area outside for smokers.

"Those bad odors and eating just don't go together," McGinnis said. "I can understand why restaurants want to do this. It's a good idea."

The Won Ton Palace in Marine City took advantage of the St. Clair County Tobacco Coalition's program to go smoke-free on June 1, 2003.

Eia Kue, whose husband, Vang Sao Kue, owns the restaurant, said business has dropped about 2% since the crackdown on cigarette smoking.

"We think it'll pick up again eventually," Kue said. "About 75% of our customers tell us how happy and how proud they are that we're doing this."

July 3, 2004

Smoke Ban Isn't Snuffing Eateries

Dan McKay

The Albuquerque Journal (NM)

The ban on smoking in Albuquerque restaurants hasn't ruined the industry's bottom line yet, according to a city study.

Tax revenue derived from sales at restaurants has continued to climb in the last year, a City Council analysis of gross-receipts taxes shows.

Through the first three quarters of fiscal 2004, restaurants reported about \$510 million in sales, compared to \$489 million for that period in 2003.

Lou Castioni, area director of Applebee's Neighborhood Grill & Bar, said his restaurant banned smoking in both main eating areas- as required under the new ordinance- and in the bar area, which was optional until this month.

He said there has been a drop in customers at the bar but an increase in customers for the main restaurant.

"I think we are probably doing better than a year ago," Castioni said at a news conference Friday. "Most people don't smoke or don't smoke while they eat."

How the new smoking ban will affect businesses over the next year, however, is somewhat unclear because new rules kick in today.

Under the bill signed last year, smoking is allowed in bars, defined as places that get most of their revenue from alcoholic drinks. Smoking in restaurants is banned.

But there are different rules for bars that are within restaurants. Those places have had the last year to decide whether to ban smoking in the bar or provide the bar with its own ventilation system to keep smoke out of the rest of the restaurant.

A study of gross-receipts tax data indicates that both restaurants and bars are doing well this year, said Tom Menicucci, a policy analyst for the City Council. There also has been no detectable shift in business from restaurants to bars, he said.

Regardless of the financial impact, Mayor Martin Chávez said the goal is to make Albuquerque healthier for customers and employees of restaurants.

"It's been a much cleaner city," he said.

City Council President Michael Cadigan, who pushed hard for the ban, said he has been approached by people with health problems who are pleased because they can now go out to eat.

Recent studies show "second-hand smoke is just as dangerous as smoking is," Cadigan said.

A survey conducted by Research & Polling Inc. for New Mexicans Concerned About Tobacco shows that 96 percent of business owners say the ban hasn't made a difference in their business.

A Journal poll last year- also conducted by Research & Polling- showed New Mexico voters solidly favor a complete ban on smoking in restaurants and narrowly support a ban in bars that also serve food

July 2, 2004

Smoke ban did not hurt city, group says

Ed Asher

The Albuquerque Tribune (NM)

Albuquerque's smoking ban has neither driven restaurants out of business nor put a crimp in the city's economy, proponents of the law said today.

When the ordinance was debated before the City Council a year ago, critics warned that restaurants would lose business and the city would lose sales tax revenue.

But the supporters say neither prediction came true.

"We are happy to declare that the naysayers were wrong and we've got the data to prove it," said Cynthia Serna, director of New Mexicans Concerned About Tobacco.

An overwhelming majority of restaurant owners say the ordinance has had no impact on their business, customers or employees, according to a poll commissioned by Serna's group.

Saturday is the first anniversary of the ordinance. At a news conference today, the proponents celebrated by releasing the poll results and an economic impact analysis.

Of 100 restaurant owners surveyed last month, 96 percent said the law had no impact on their business, 3 percent said it had a negative impact and 1 percent said it had a positive impact, said Brian Sanderoff, president of Research and Polling Inc.

The economic impact study showed that gross receipts taxes from Albuquerque restaurants increased by 4.3 percent during the first three quarters of last fiscal year compared to the same period the year before, said Tom Menicucci, legislative policy analyst for the City Council staff.

The ordinance requires restaurants and other workplaces to be smoke free.

Applebee's Neighborhood Grill & Bar was one restaurant chain that feared the worst when the law passed last year.

"We lost a few people at the bar, but we saw an increase in families coming into the dining area," said Lou Castioni, Applebee's area director.

"So I think it evened out. It probably didn't affect us at all and may have been a positive thing."

City Council President Michael Cadigan, who sponsored the smoking ban, said while the economic numbers look good, the economy was not the driving force behind the law.

"We did not pass the ordinance because of money. We passed the ordinance because of health," Cadigan said.

Phase two of the ordinance takes effect Saturday. All restaurant bars - those that have a bar plus a dining area - must either go smoke free or completely enclose the bar and install a separate ventilation system.

June 28, 2004

Sales Up Despite Ban on Smoking

Restaurants Argue Montgomery Data

Amit R. Paley

The Washington Post (DC)

Restaurant revenue in Montgomery County increased in the six months after a countywide ban on smoking took effect, a finding that anti-smoking advocates hope will boost their efforts to enact similar bans statewide and in the District.

"One can clearly say the restaurant industry has not been harmed by the smoke-free restaurant law," said Montgomery County Council member Phil Andrews (D-Gaithersburg), who plans to release the figures from the state comptroller's office today.

Restaurant industry tax revenue increased by more than 7 percent -- almost \$2 million -- over the six months from October to March, compared with the same period one year earlier. The county's smoking ban went into effect Oct. 9.

"The fears we heard that this was going to devastate the restaurant industry don't appear to be true," said County Executive Douglas M. Duncan (D). "These early numbers are very encouraging."

But restaurant industry officials suggest that the statistics are misleading, reflecting a pickup in the economy after a two-year slump caused by the Sept. 11, 2001, terrorist attacks and the sniper shootings the following year.

"I hope smarter politicians won't be fooled by the inaccuracy of this data," said Melvin Thompson, vice president of government relations for the Restaurant Association of Maryland.

Thompson said the sales revenue numbers are less important than alcohol sales -- often the most profitable part of a restaurant's intake. "It doesn't matter that overall sales tax has increased because that's mostly food," Thompson said. "Alcohol sales is where the profits are."

Claude Anderson, corporate operations manager of Clyde's Restaurant Group, said food sales at the group's Rockville restaurant have been unaffected by the ban but that bar sales are down about 25 percent.

"I've had one bartender go into the mortgage business and another go back to school -- it's just not the same anymore," Anderson said. "Everywhere else our sales are up, but in Rockville the bar business is significantly down."

Even so, alcohol sales across the county are up for restaurants, bars and other establishments that serve alcohol on their premises, according to the Montgomery County Department of Liquor Control.

Alcohol sales increased by almost 4.5 percent, or \$600,000, in the six months from October to March compared with the same period one year before.

The results in Montgomery County are similar to those in other jurisdictions that enacted smoking bans.

New York City had an 8.7 percent increase in sales in bars and restaurants after its smoking ban, according to the city's Department of Finance. Florida had a 7.4 percent increase in restaurant, lunchroom and catering service sales and no significant change in taverns, nightclubs and bars, according to a study by the University of Florida.

Smoking opponents say the results from Montgomery County will help their efforts to enact a smoking ban on restaurants in the District -- including in a pending legal fight to put the ban before voters.

A D.C. Superior Court judge last month threw out a ballot initiative to ban smoking in bars and restaurants, ruling that the measure would have lowered tax revenue and therefore illegally encroached on the District government's power to make budget decisions.

"This Court concludes that the restaurant tax revenues would be affected," Judge Mary A. Gooden Terrell wrote in her opinion, "since it was undisputed that prospective patrons would more than likely elect to patronize restaurants in Maryland or Virginia."

John Hardin Young, an attorney for two groups that supported the initiative in court, said the Montgomery County results throws the opinion's factual basis into question.

"She was relying on information that was popular myth that has been debunked by this data," said Young, who represents the American Cancer Society and the National Center for Tobacco-Free Kids. "There is no fiscal impact whatsoever."

A proposal to ban smoking in bars and restaurants across Maryland failed by a 6 to 5 vote this February to pass the Senate Finance Committee, but supporters vowed to push the measure again next year.

The sponsor of the smoking ban, Sen. Ida G. Ruben (D-Montgomery), said the data from Montgomery County will persuade the General Assembly to pass the ban.

"It's going to help a lot," Ruben said. "The opponents to the legislation try to make it appear the restaurants are going out of business -- but that is not the case."