

10/30/06

Clean Air Kansas City
6800 W. 93rd St.
Overland Park, KS 66212

Kansas Restaurant and Hospitality Association
3500 N. Rock Road, Bldg. 1300
Wichita, KS 67226

Dear Honorable Mayor and City Council Members,

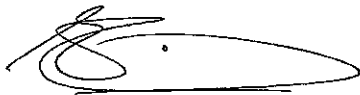
It is clear that the effort to approve smoke free ordinances is moving forward city by city within the greater Kansas City metropolitan area.

In an effort to encourage a level playing field for businesses in the restaurant and hospitality industry, as well as provide a public health benefit for employees and the public, Clean Air Kansas City and the Kansas Restaurant and Hospitality Association have come to an agreement on terms of a smoke free ordinance that, we believe, are reasonable for businesses and provide safeguards for public health.

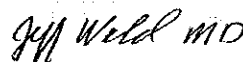
We believe that by sharing this agreement with all city governments we can encourage smoke-free ordinances that are more uniform in nature and provide a competitive business environment throughout the metro area.

We strongly encourage you to consider the points outlined on the second page, so the entire metropolitan area can move forward on this issue.

Sincerely,



Bob Carmichael
Kansas Restaurant and Hospitality Association
Chairman of the Board '06



Jeffrey Wald, MD
Clean Air Kansas City

Clean Air Kansas City and the Kansas Restaurant and Hospitality Association agree on the following clean indoor air ordinance issues.

- **Smoking should not be permitted in any indoor public place or business.**
 - **An implementation date of January 2nd, 2008.** This phase-in period would allow businesses and venues to prepare for operational, marketing and regulatory changes affecting their business. A uniform implementation date by all greater Kansas City cities would eliminate the possibility of driving business from restaurants or bars in one city to restaurants and bars in surrounding cities. A date certain in the future allows proponents of clean indoor air more time to focus on prevention and cessation education efforts.
 - **No exemptions.** Exempting certain classes of businesses, organizations or clubs creates unfair advantages to the businesses not exempted. No exemptions provide greater protection from second hand smoke.
 - **Smoking should be prohibited within ten feet of the entrance and it must not infringe on indoor air quality.** This provides a smoke free area for patrons entering and exiting a building and it safeguards against second hand smoke entering open windows or air intakes.
 - **Smoking should not be regulated in outdoor patios and or courtyards** ~~provided~~courtyards provided it does not infringe on indoor air quality. This allows smoking patrons to “take it outside,” thus preserving the quality of indoor air.
 - **Retail tobacco shops should not be subject to a smoke free ordinance.** Retail tobacco shop is defined as a retail store whose primary business is the sale and use of tobacco products and accessories which is located in a stand alone building not attached to or the part of any building devoted to other uses.
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