

More public input ordered on 3 Ts: CRD delays bylaw decisions that would see greater restrictions on tanning, tobacco, tattoos

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A crowd showed up Wednesday ready to protest against three new bylaws tightening up tanning, tobacco and tattoos, but regional politicians opted instead to delay any decision.

Proposals to bar teens from tanning and tattoo parlours, and to close the "smoking patio" loophole in bars, have been sent back to medical health officer Dr. Richard Stanwick for public comments and submissions.

In an interview, Stanwick said some bar owners have "started with trellises, then bushes and Plexiglas" to create nearly fully-enclosed spaces that are really smoking rooms with just a small opening for air flow.

He had asked the Capital Regional District board to amend its groundbreaking clean air bylaw of 1999 that banned all smoking indoors, to define such patios and limit the wall height and roof area to make sure they are true open-air spaces.

"The industry by and large has been remarkable," said Stanwick. His report said compliance with the bylaw has been "exceptional" when considering only the indoor area of the pub or restaurant.

But he said, "there's some confusion among pub owners, what's a room and what's a patio."

Mayor Ted Daly of North Saanich, who chairs the health facilities planning committee of the Capital Regional District board, said there hasn't been enough public consultation.

"It is clear from the turnout here today it is in order to refer this back to staff," said Daly.

About 50 people filled the CRD boardroom and spilled out into the hall.

Michael Holmes, owner of the Tudor House in Esquimalt, said in an interview that construction of outdoor patio spaces at his pub has been done with the awareness of CRD officials. "We haven't been made aware of any public complaints."

Doug Grant, manager of the Esquimalt Legion branch, said the smoking patio bylaw amendment "came out of nowhere." His pub has a smoking area, half of it unroofed and open to wind and rain.

In a submission he didn't deliver to the CRD, Grant questioned why Korean War veteran Alfred Porter should "be forced to sit outside in the rain and wind." Prime Minister Paul Martin is coming to the Legion this weekend, and Grant said he'll take the PM out to the patio to meet Porter "and tell him the same sad story."

Mike Geoghegan, a consultant for bar owners, said the proposed bylaw amendment would define even outdoor tables with umbrellas as indoor space where smoking would be banned.

Tanning was the other hot topic, and industry spokesmen defended teenage use of tanning beds. Joseph Levy of Smart Tan Canada said their study showed that teens not allowed to use them "would tan outdoors more aggressively."

In a U.S. poll of 1,000 parents of teenagers, two-thirds opposed a ban on tanning parlours for teens, he said.

Doug McNabb, Calgary-based franchiser of Fabutan, said B.C. Cancer Agency statistics show melanoma --a serious form of skin cancer -- is actually declining among adults aged 20 to 44, an age group prone to using tanning beds.

Retired pediatrician Dr. Basil Boulton of Esquimalt told the CRD directors that "this is a children's rights issue" and children should not be exposed to excessive ultraviolet radiation.

Teenagers "do not have the maturity, ... the life experience" to make a sensible decision on tanning beds, he said.

Dr. Richard Gallagher of the B.C. Cancer Agency said there is convincing evidence that tanning bed use increases the incidence of melanoma, and that ultraviolet light exposure in childhood also increases the incidence of melanoma.