

# Watsonville OKs smoking regulation

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WATSONVILLE — A city ordinance regulating smoking in public places turned into a forum on the county's role in city affairs at Tuesday night's City Council meeting.

"I would rather our people talk to our people, rather than foreigners," said Councilman Vido Deretich. "Let's run our own show." Deretich was talking about a proposal to let a county public health educator enforce the new ordinance.

"We don't need governmental agencies coming in to tell us what to do," Deretich said.

The council voted to approve the ordinance by a 6-1 vote, but directed City Attorney Don Haile to come back in 30 days with some possible changes before the ordinance goes into effect.

Several public health organizations, however, criticized the city's version of the smoking control policy, which has been previously adopted by the county for unincorporated areas and the cities of Santa Cruz and Scotts Valley.

Meighan O'Brien, chairperson of the Smoking Education Coalition of Santa Cruz County, recommended the city toughen two sections of the ordinance: allowing workers to designate no-smok-

ing areas at their workplace and using the county public health department for enforcement.

The Watsonville law will be enforced by the city's Fire Chief and Police Chief. Concerning workplaces, the Watsonville ordinance requires employers to designate no-smoking areas.

O'Brien said that non-smoking employees make up the majority of the workforce and face "formidable" health hazards from secondary smoke.

She said using a county health officer for enforcement would make the new law less "punitive" and more in the realm of public health education.

Haile, however, said that using the county to enforce the law would be a "dire mistake." Haile said that private citizens could bring legal action against restaurants or employers who did not comply, an alternative he found unpalatable.

He suggested passing the ordinance as is. "For starters, we should try to enhance the spirit of the thing and not be too dictatorial about it," Haile said.

The county public health educator in charge of enforcement and education of the Santa Cruz, Scotts Valley and county ordinances, Bernadette Zavala, told the council that employers "appreciate" having someone else decide smoking is-

sues at their businesses.

Zavala said her office has received 60 complaints in two years, not including calls from Watsonville, which is not in her jurisdiction. All 60 complaints, she said, have been successfully settled within two months of being filed.

Fire Chief Gary Smith said that letting employees designate smoking areas could cause "problems" for employers. He also said he had not known before the meeting that a county official was available for enforcement of the ordinance.

Haile said that the ordinance "admittedly is weak," but said it was better to "instill the spirit of the thing rather than giving somebody a hammer."

Councilman Rex Clark, who had asked the ordinance be prepared in the first place, said he had been "impressed and swayed" by Zavala's arguments. He also agreed the ordinance was weak and said it should be studied further before a vote

was taken to approve it.

Councilman Dennis Osmer concurred. "It is our duty to pass good ordinances — the first time around," said an obviously exasperated Osmer, in response to the desire of other council members to pass the ordinance Tuesday night and worry about changes later.

Osmer decried the financial impact of Smith's and Police Chief Ray Belgard's taking time to enforce the ordinance when the county was offering help for free.

Haile told Osmer that he had known about the availability of Zavala before drafting the ordinance, but was "tempered" by the council's oft-expressed distaste for the county government.

Osmer replied that he had never expressed any such feeling.

Haile said that such feelings were "ancient history" on the council.