

The Louisiana Institute of Public Health Tobacco Free Living Campaign

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Executive Summary

Over the last thirty years, a global movement has aimed towards reducing smoking and tobacco use in public places. Studies in countries have found that comprehensive smoking bans in public places both immediately and indirectly decreases smoking. Economically, smoking bans have also had an impact on communities as they negatively impacted bars located in areas with high prevalence of smokers by decreasing employment an estimated 4.5%. While restaurants also located in areas with high prevalence of smokers experienced no or slightly positive effects on their employment after bans were implemented.

Current Louisiana legislation on smoking, as of 2007, has already prohibited smoking in most public spaces and workplaces, including restaurants using the Louisiana Smoke-Free Air Act. Under this legislation, bar and casino workers are currently not protected. Act 815 provides municipalities, such as the City of New Orleans, the authority to further protect residents by passing smoke-free ordinances that include stand-alone bars and gaming facilities. New Orleans City Council District B Councilwoman LaToya Cantrell has proposed a non-smoking ordinance in New Orleans on November 6 that will ban smoking in all bars and gaming facilities within District B.

Currently, there is a proposed study by LPHI to evaluate the impact of smoking and non-smoking bars in New Orleans for financial data. This is a pilot project to assess if bar owners would be willing to share their financial data with LPHI. We will be interviewing bar owners for information on smoking habits, smoking policies, and the perceived financial implications of a smoking ban.

LPHI originally provided a basic questionnaire for interviews. After careful analysis, the questionnaire was edited in order to make it more compatible in an interview format. The edited

questionnaire and background sheet with information about the follow-up study to be done by LPHI, set the parameters for each qualitative semi-structured interview. Moreover, each bar included in the report is either part of a list provided by LPHI or part of a group of bars in the vicinity of Tulane University. Collectively, these bars make up the convenience sample that the data collection is based on.

Most of the data that was collected is qualitative due to the nature of this project. No quantitative data was collected as bar owners were not comfortable providing any of their bar's financial data at the time of the interviews. With this project still in progress, LPHI will most likely seek bar owners who are willing to provide their financial records giving the project a substantial amount of quantitative data. Even without quantitative data, a sufficient amount of qualitative data that covered several topics surrounding the impending smoking ban legislation was collected.

The important finding of this project were:

- The micro-financial indicators that were given to us by LPHI had no impact on the bar business according to the bar owners.
- The majority of their customers were locals and very rarely had tourists come into the bar.
- Many locals knew that the bar was smoke-free or not due to the smell of the bar inside.
- A common concern from all the bar owners was the layout of the bar possibly affecting the business of certain bars which mostly was concerning the outdoor space of the bar.

- All of the bar owners were on board with the idea of the smoke free ordinance if it were to be “equal-playing field”.

As per the results from the nine interviews conducted on bar owners/managers, there are clear themes and statements unanimously given from the bar owners/managers that need to be addressed. Firstly, it is important to note that the research for this project is still in its primary stages. There is much LPHI can do to improve the circumstances by which both researchers and bar owners/managers are informed. Secondly, for bars in residential areas, the residents will potentially complain about the outdoor smoking close to their homes which will be a strong deterrent and issue for bar owners. Thirdly, there was a clear indication from the bar owners who did not have outdoor amenities of how the smoking policy would affect business as opposed to bar owners who have outdoor amenities expressing no similar concern. The final theme expressed unanimously by all bar owners/managers was the implementation of the equal-playing field in the smoking legislation. It is vital to have all bars undergo the restriction to indoor smoking due to the fact that should the legislation target specific bars, those targeted bars will undoubtedly lose their smoking customers to the non-targeted bars. In addition, there will be backlash from targeted bars as to the reasoning why they are targeted as well as the unfairness of the legislation itself. As such, there is unanimous and unquestionable desire from the bar owners to keep the legislation equal across all bars.

Introduction

In the last thirty years, there has been a global movement aimed towards reducing smoking and tobacco use in public places. Studies in countries that are participating in the Organization for Economic Co-operation and Development (OECD) have shown that

comprehensive smoking bans in public places immediately decrease smoking by 4.6%, and indirectly decrease smoking by 1.2% for each year the ban is in effect (Sari, 2010).

Economically, smoking bans have also had an impact on communities. In Dr. Adams' and Dr. Cotti's 2007 report on bar employment in the United States, smoking bans negatively impacted bars located in areas with high prevalence of smokers by decreasing employment an estimated 4.5%. At the same time, restaurants also located in areas with high prevalence of smokers experienced no or slightly positive effects on their employment after bans were implemented, implying that only bars suffered from smoking bans. The findings in Dr. Adams' and Dr. Cotti's report were confirmed in July 2013 with Dr. Glonek's report, "The Economic Effect of Banning Smoking in Wisconsin's Bars and Restaurants." Dr. Glonek found that smoking bans resulted in a 1.1% increase in restaurant employment and an 8.8% decrease in bar employment in Wisconsin.

In Dr. Adams' and Dr. Cotti's study, high smoking prevalence areas were defined as areas with smoking prevalence higher than the United States' mean of 23.2% as of 2000. At the time of the study, Louisiana's smoking prevalence was 24.1%, which was the same prevalence as Wisconsin. It could be assumed that if smoking bans were implemented in Louisiana, bar employment in Louisiana would be at risk just as it was in Wisconsin. As of 2011, Louisiana's smoking prevalence rose to 25.7%, the 5th highest smoking prevalence in the United States (CDC).

However, the health benefits of a smoking ban may outweigh its financial costs. Bar employees will no longer be exposed to secondhand smoke, which increases the risk of lung cancer along with other health ailments. Dr. Glonek used the estimate that there is a risk of mortality from "second-hand smoke exposure of between .000025 and .00035," for bar

employees. Knowing that there are 4130 bartenders in the New Orleans-Metairie-Kenner area as of May 2013 (US Bureau of Labor), and that the conservative estimate of employees that will lose their jobs is 4.5%, we can estimate a reduction of between 0.0046 to 0.0650 deaths from second-hand smoke exposure. Using the median value for life of a worker in the US as \$7 million, and the social discount rate of 7%, the estimated benefit of a non-smoking ban in New Orleans would be between \$500,000 to \$6.5 million.¹ This estimate focuses only on the benefits to lung cancer, and therefore the actual health benefits may be higher.

Using Dr. Glonek's estimate that \$4,950 in 1987 dollars as the average earning loss per employee, the estimated cost to New Orleans of a smoking ban is about \$2 million per year.² This outweighs our low conservative estimate of the benefit of a smoking ban, but does not outweigh our high estimate. These estimates also only include bartenders, and not other employees or owners who may be working at bars nor the benefits to customers who frequent the bars.

Looking specifically at current Louisiana legislation on smoking, as of 2007 the Louisiana Smoke-Free Air Act has already prohibited smoking in most public spaces and workplaces, including restaurants. Bar and casino workers are currently not protected. Act 815 provides municipalities, such as the City of New Orleans, the authority to further protect residents by passing smoke-free ordinances that include stand-alone bars and gaming facilities. New Orleans City Council District B Councilwoman LaToya Cantrell has proposed a non-

¹ $(0.00025 * 4130 * 0.045)$ to $(0.00035 * 4130 * 0.045) =$
 $(0.0046 \text{ to } 0.0650)$ reduction in deaths from second hand smoke
 $\left(0.0046 * \frac{7E6}{0.07}\right)$ to $\left(0.0650 * \frac{7E6}{0.07}\right) =$
 $\$464625$ to $\$6504750$ being the estimated losses to New Orleans

² $\$4950 * 2.11 * 4130 * 0.045 = \1941110

smoking ordinance in New Orleans on November 6 that will ban smoking in all bars and gaming facilities within District B.

A similar ban has been implemented in Ontario, which has “prohibited indoor smoking in public workplaces, including bars and restaurants, but allows smoking on unenclosed contiguous patios” (Zhang, Pubmed). A study was later done in 2009 to determine whether bar employees were adequately protected by this policy. The results found that smoking on patios within 1000 square feet of bars and restaurants was common. Higher levels of PPAH (polycyclic aromatic hydrocarbons), a air pollutant known to cause vascular injuries were present as the concentration of smokers increased. Citing this, the study suggested a complete ban on bar property in order to adequately protect bar workers.

Another study by the University of Georgia looked into cotinine levels in patrons of establishments that banned indoor smoking, but provided outdoor seating (Gerogia, Pubmed). Cotinine is an indicator of tobacco exposure and can also indicate exposure to other toxins associated with smoking. In the study, it was found that the “median percent increase in salivary cotinine from pre-test to post-test was estimated to be 162%, 102%, and 16% at the bar, restaurant, and control sites, respectively, values that were significant increases at bars and restaurants, but not at the control sites.” Acknowledging this, customers and employees may not experience health benefits from the current ban as immediately as presumed unless a comprehensive ban that prohibits smoking in all areas is enacted.

The LPHI Louisiana Campaign for Tobacco-Free Living (TFL) program is funded by a state excise tax on tobacco passed in 2002. They have proposed a study to assess the feasibility, scope, and design of an economic analysis to determine the potential benefits and costs of the ordinance to prohibit smoking inside New Orleans stand-alone bars and gaming facilities. Their

current findings found that many bar and gaming establishment owners and lobbyists, business and tourism leaders, alcoholic beverage industry representatives, and policymakers oppose the ordinance due to potential decreases in customers to bars and gaming facilities, which would result in revenue declines and reduced tax collections for the state and city. As of April 2014, 82% of bars and all gaming facilities of New Orleans allow indoor smoking (citation). Using this percentage in our earlier calculations for estimated losses decreases the estimated economic impact to about \$1.6 million.

In their report, LPHI also stated that “municipalities worldwide who have implemented comprehensive bans on indoor smoking have not suffered negative financial impacts,” though these municipalities address the economy overall, and few studies have been done on the economic impact of smoking bans on bars alone.

Purpose

There is a proposed study by LPHI to evaluate the impact of smoking and non-smoking bars in New Orleans for financial data. This is a pilot project to assess if bar owners would be willing to share their financial data with LPHI. We will be interviewing bar owners for information on smoking habits, smoking policies, and the perceived financial implications of a smoking ban.

Methods

In terms of methodology in regards to data collection, LPHI originally provided a basic questionnaire for interviews. After careful analysis, the questionnaire was edited in order to make it more compatible in an interview format. The final product contains a lot more simple questions that require only short responses (See Appendix I for details). Moreover, the format of

the questions provides the interviewee with freedom to choose to further elaborate their points or not. In this sense, the data collection can be classified as quantitative and qualitative. The main issues addressed by the questionnaire were Micro-Financial Data, Equal Playing Field, and Smoker Patronage.

The edited questionnaire and background sheet with information about the follow-up study to be done by LPHI, set the parameters for each qualitative semi-structured interview. Moreover, each bar included in the report is either part of a list provided by LPHI or part of a group of bars in the vicinity of Tulane University. Collectively, these bars make up the convenience sample that the data collection is based on.

In order to set up interviews with various bar owners, each bar was called during normal business hours. If the call went unanswered, a subsequent call was made the next day. If both calls during normal business hours were unsuccessful, an email was sent to the bar. If all forms of contact did not work or the bar declined the interview, the bar was not used as part of the convenience sample. On that note, if the bar requested an additional call at a different time or an email including the pertinent information, the requests were obliged. Overall, 16 bars were contacted and 5 of these interviewed, giving a response rate of 31.3%.

Many bars declined the interview on the basis of a lack of time or lack of care for the study. Moreover, certain bars that expressed initial interest did not follow-up after indicating that they would. Only after re-establishing communication by personally visiting some of these bars, were interviews granted. Also, one initial problem included the fact that many bar managers were willing to do the interviews in place of the owners. Though this originally impeded progress, LPHI confirmed that the manager could be interviewed in place of the owner for the report.

During each interview, a recording of the entire conversation was collected in order to code the interview at a later point in time. Also, at least two researchers attended each interview, with one asking the questions and holding a conversation, while the other took notes and facilitated the recording. Following the interview, axial coding for each conversation was completed. The coding helped with the analysis, which made use of grounded theory. Ultimately, the data from all the interviews could be pooled following completion of coding and analysis. The interviews were 12 to 13 minutes on average, with one lasting 17 minutes.

Results

Due to the nature of this project, most of the data that was collected is qualitative. This was due to the fact that the bar owners were not comfortable providing any of their bar's financial data at the time of the interviews. With this project still in progress, LPHI will most likely seek bar owners who are willing to provide their financial records giving the project a substantial amount of quantitative data. Even without quantitative data, a sufficient amount of qualitative data that covered several topics surrounding the impending smoking ban legislation was collected.

The first important finding was that the micro-financial indicators that were given to us by LPHI had no impact on the bar business according to the bar owners. Examples of micro-financial indicators discussed in all of the interviews with the bar owners included the cost of health insurance of employees, and cleaning expenses. All of the bar owners felt that there would be no difference in regards to the health of the employees of the bar since bar owners did not provide any health care to their worker. In addition, the bar owners did just not see that any micro-financial indicators would have no effect on their bar.

“I don’t think so [impact on indicators of smoking ban] at our bar because we don’t have any kind of medical care. We are not a fire hazard as much as the bar compared to an old building. I don’t think the electricity implies. We don’t have to have any smoking breaks. I don’t see for any micro-financial indicators that could affect our bar.”

“We don’t offer employee health care because everyone is temporary help and they work part-time. It’s all part-time with the exception of management.”

After examining the micro-financial indicators with the bar owners, another result was that every bar owner that was interviewed said that the majority of their customers were locals and very rarely had tourists come into the bar.

“I would say about 98% are local and about 2% tourists.”

We discovered that many locals knew that the bar was smoke-free or not due to the smell of the bar inside. Some bar owners even admitted that there were complaints from the tourists not even coming into the bars since it was not smoke-free.

“If they come in they come in during the early day, stopping in getting something to drink, to eat, and leave. I have had people walk out and I’ve heard the comments like “Oh, man it is smoky in here.” But what can you do? I can’t do anything about that. I can’t say we can make it smell better.”

Other comments indicated that interviewees witnessed an obvious distaste from the tourists when walking into the bars and realizing that the bar was not smoke-free. This sometimes made the bar owners try to even remove the smell so they could attract more tourists in order to get more customers.

“We clean it once a day. It’s not like most of your bars uptown where they clean it once a week and usually just take the trash out. I mean they [this bar] clean and mop the bathrooms every single day so we try to keep it clean. We try to wipe the bar down 2-3 times a day. I try to keep the bar as clean as possible.”

A common concern from all the bar owners was the layout of the bar possibly affecting the business of certain bars which mostly was concerning the outdoor space of the bar. The overall outdoor layout of the bars was an important factor that never came up before the interview process of this study but was of heavy significance to the bar owners if whether or not they would approve the bars being smoke-free since they noticed that many customers would like to have their drinks and sit inside the bar than rather outside on the corner of a street.

“I think it will keep a business in business by being able to go outside and smoke on the patio. It will definitely give them an advantage.”

“Oh yeah if there is a non-smoking ban inside in enclosed spaces and people who do smoke will go seeking out places that have balconies, outdoor patios, or other areas that they can smoke at.”

“You know it depends, who else offers an outdoor patio. You know some people aren’t going to want to go stand out on the street to smoke a pack of cigarettes. Some people are going to want to sit down and be able to enjoy their drink outside. And sit down and not have to stand outside the corner of a bar.”

The bar owners who had outdoor seating space seemed less concerned about bars going smoke-free; however, bar owners who did not have outdoor seating explained several problems about forcing their customers to go smoke outside the bar. Some of problems would be that customers would stop buying drinks and just wander off to another bar that could possibly have

outdoor seating so that they could smoke and get drinks. Another problem was that some of these bars were located in neighborhoods which caused several residential neighbors complaining to the bar owners about all the smoking occurring outside affecting them and the mass amounts of people walking outside the streets being loud.

“Once people will leave to go smoke outside they tend to look for a bar down the street.”

“Well, we got those ashtrays—those tall ones [ashtrays]—donated by LPHI or whatever, and put them outside. But then our neighbors just don’t like business on the street and called a couple times to complain about loitering on our corner because we’d have fifteen people outside smoking because they weren’t allowed to smoke inside.”

One thought voiced by interviewees was how now people would rather just go to a liquor store, grocery store, or any other store that sells any alcohol and bring it back to their house so that they can invite people over. This would allow them to avoid the situation of going to a bar and being forced to go outside to smoke.

“I mean I think business will drop because more people will say I can stay at home, I can smoke at my own house. When I am at the grocery store, I will just stop and get a case of beer and have some friends come over. And if they are all smokers, they may say, the hell to going to a bar. You know the reason people go to a bar is to relax and have that atmosphere. My opinion I think that some people will just stay at home.”

Another theme was how all of the bar owners were on board with the idea of the smoke free ordinance if it were to be “equal-playing field” and would not affect business at all between

bars and even sales for a bar; however, they still felt as though it should be up to the bar owner to decide if the bar should be smoke-free or not. This would have to include every bar in the state plus they would also like it to include casinos and other institutions that have gambling within their facilities.

“I mean if they cut it out all around I don’t think I will lose any customers.”

“I think initially it would affect sales, but eventually it would all just go back, you know. But it wouldn’t be a huge effect initially; I just don’t think it would be a major effect.”

“Well yeah, if you are going to take it out of the bar room that has gambling in it, why would you make an exception just for casinos and gambling halls? I mean that’s not fair to your local business, that’s national companies um that you are going to allow, I mean why should you make an exception to them?”

Discussion

As per the results from the nine interviews conducted on bar owners/managers, there are clear themes and statements unanimously given from the bar owners/managers that need to be addressed. Firstly, it is important to note that the research for this project is still in its primary stages. There is much LPHI can do to improve the circumstances by which both researchers and bar owners/managers are informed.

According to LPHI, much of the reviewed literature notes that municipalities that have implemented comprehensive bans on indoor smoking have not suffered any negative financial impacts. This same research also links smoking bans in restaurants and offices with beneficial effects on business operational costs. Regarding bar and gaming facilities, there is a gap in the literature specifically focusing on such facility costs. LPHI’s primary aim in analyzing micro

financial indicators of bars and gaming facilities is to demonstrate that allowing smoking increases costs for owners of these establishments. From this set of interviews, it was clear that micro-financial indicators do not have an impact on day-to-day operations of bars. None of the bars explored in this study provided healthcare to their employees. In addition, many of the bars interviewed that do allow smoking do not take into account cleaning costs that are solely due to smoking. There is a lack of concern regarding micro-financial indicators in the New Orleans community of bar owners. If LPHI wishes to continue and expand research on this specific topic, more information about micro-financial indicators needs to be available to owners and managers of bar and gaming establishments. LPHI will need to make an effort to collaborate with bars and their business associations.

Furthermore, it is important to note that LPHI must account for the demographics of the bar such that the location, clientele, and overall quality of the bar for further discussions. In the case of this study, the majority of the bars observed were catered towards the local residential population from which the bar is located; furthermore, for all the bars observed there is little to no indication of tourism specifically at the bar. As such, any media outlook or information presented must reflect the need to influence the locals at residential bars as opposed to tourists.

There was a consistent theme during the interviews of the layout of a bar being a concern in regards to the implementation of the proposed comprehensive smoking ban—a factor that had not been mentioned in any previous studies or by LPHI. From the response of the bar owners, there is strong bias from customers towards bars with patios, balconies, or other outdoor areas in that should the ban succeed, smoking customers will flock to bars that have these outdoor amenities. If the smoking ban is implemented, it will be vital for bars with customers to have outdoor amenities because customers will not enjoy smoking outside on a street corner; in

addition, there will be a clear decrease in smoking customers for a non-patio bar should there be another bar in the same area and it offers a balcony or patio. Furthermore, there is strong consideration that the issue of balcony bars versus strictly indoor bars will also affect the idea of the equal playing field, which a majority of bars support. The concept of equal playing field is something bar owners are strongly in support of and it should be a priority to maintain the action of equal playing field.

There are several implications of allowing smoking on the street corner outside a patio-less bar. Firstly, bar owners are worried that customers will just wander away after taking a smoke-break and will eventually get annoyed with this thereby choosing to go to a patio/balcony bar. Secondly, for bars in residential areas, the residents will potentially complain about the outdoor smoking close to their homes which will be a strong deterrent and issue for bar owners. Bar owners mentioned that neighbors have complained about loitering due to multiple smokers being outside the bar, which must be a concern moving forward for LPHI. This raises the issues of involving neighborhood associations. Involving the neighborhood can either benefit or harm a bar depending on the nature of the issue at hand and could be opening Pandora's box so to speak. This should be avoided as it will deter the proceedings as well as reduce overall progression. However, this does not mean that neighborhood should be left in the dark. It is vital to inform all members of the community of the progress.

Thirdly, there was a clear indication from the bar owners who did not have outdoor amenities of how the smoking policy would affect business as opposed to bar owners who have outdoor amenities expressing no similar concern. There is a strong concern that customers will much rather go to the balcony bar, or better yet just go the liquor store and then call their friends

over at home. In either case, the bars without outdoor amenities will lose customers thereby negatively impacting business.

The final theme expressed unanimously by all bar owners/managers was the implementation of the equal-playing field in the smoking legislation. It is vital to have all bars undergo the restriction to indoor smoking due to the fact that should the legislation target specific bars, those targeted bars will undoubtedly lose their smoking customers to the non-targeted bars. In addition, there will be backlash from targeted bars as to the reasoning why they are targeted as well as the unfairness of the legislation itself. As such, there is unanimous and unquestionable desire from the bar owners to keep the legislation equal across all bars.

In conclusion, from this research there are clear themes that bar owners have expressed with some of the most important being the equal playing field being implemented in the legislation and the issue of outdoor amenities bars versus bars without such luxuries. From the bar owners themselves, there is a clear uneasiness when discussing the legislation as a whole as well as the impact it will have economically. However, the micro-financial indicators presented by LPHI have not been useful; therefore, changes must be made in that area to understand the true financial impacts of this legislation.

New Orleans District B Smoke-Free Ordinance

Concerns of LPHI



Concerns of the Bar Community



From the result our project, we have concluded that there is a lack of communication between LPHI and the bar and gaming community of New Orleans the bar . We feel that this lack of communication needs to be fixed for the ordinance to pass.

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Appendix I

Interview Questions for Bar Owners

1. (M) [Give information sheet beforehand defining terms. Leave time for bar owner to review] Define micro-financial indicators. List micro-financial indicators: cleaning, insurance, general maintenance, employee healthcare, ventilation, employee morale, alcohol sales, food sales, competition, business cycles.
2. (M) Tell us of any financial indicators that could be affected by indoor smoking. Explain.
3. (E) What is your current smoking policy?
4. (M) Do you sell tobacco products in your bar? If so, what do the sales look like?
5. (S) How many of your customers and/or what percentage of your customers are smokers?
6. (M) What percentage of your patrons are tourists?
 - a. (S) Do tourists tend to smoke more, less, or with the same frequency as locals?
 - b. How do they compare your smoking policy to their own cities?
7. (M) How many total employees do you have?
 - a. What have they said about the smoke in your bar?
8. (M) Do you observe a relationship between smoking and alcohol consumption? If so, could you describe it.
 - a. Regular customers?
 - b. Tourists?
9. (E) Are you aware of the smoke-free effort? (If answer is yes, move on to next question) or (If answer is no explain what is the smoke-free ordinance objectively w/o equal playing field references)
10. (E) Are you in favor of a smoke-free ordinance?

11. (E) How do you think a smoke-free policy would affect the number of customers you have?
12. (E) How do you believe a smoke-free ordinance would affect your sales?
13. (E) How do you believe a smoke-free ordinance would affect competition between businesses, and if so, how? Question should not be asked if given background of the ordinance since bar owner is provided with info
14. (E) What impact do you think the ordinance will have on the New Orleans business community as a whole?
15. (E) Should coverage of this ordinance include New Orleans stand-alone bars and gaming facilities?
16. (E) If financially all the bars will be on an equal playing field, do you see any way a smoke-free ordinance would influence competition?
17. (E) (Must know footage and patio/balcony regulations to refine/determine usefulness of this probe): Might bars with certain layouts be affected differently by an ordinance?
18. (M) Are you interested in the financial impact data this study could potentially produce? Explain how this could make a difference to your opinions.
19. (M) Are you willing to complete a questionnaire form to gather financial data over a given time period?

M: Micro-Financial Data, E: Equal Playing Field, S: Smoker Patronage

Appendix II

N: Okay, so it's a new promotional event, so everyone is kind of like, "Oh, what's going on?"

J: Yes

N: Okay so then--

J: I mean Fridays people tend to dress up, or we do Gay happy hour Fridays too, so it's like, you know, I don't know if that makes a difference in the vibe but it's like everybody wants to dress up or whatever and they don't want to smell like smoke. It's not like, it's going to be during the week when you have more regulars who drink and smoke more regularly.

dress up for Gay happy hour Fri.

b/c nicely dressed ≠ want to smell

other times, more regulars who don't mind smoke

Non-Smoking Policy
Currently

N: Okay. I mean this is also a fancier bar. You have a dress code so, that's understandable. So then during these smoke-free happy hours, do you still allow patrons to smoke right outside?

[higher end bar]

Type of Bar

J: We do and that was an issue in the beginning because, uh, we started like 6 years ago—we had ((mumbles)) going on in the courtyard for a couple of years getting it rezoned. And during that time, we weren't allowed to use it and let any smokers smoke outside.

smoke outside but 6 yrs ago while renovating courtyard → smokers on street

Layout

N: Okay so then none of your customers could use it, or anything?

J: Well, we got those ashtrays—those tall ones—donated by LPHI or whatever, and put them outside. But then our neighbors just don't like business on the street and called a couple times to complain about loitering on our corner because we'd have fifteen people outside smoking because they weren't allowed to smoke inside.

ashtrays donated by LPHI (?) for outdoors

neighbors complain about loitering [residential area]

What happens w/ Ban

N: Okay

J: So, you know, that was aggravating: that we would have to deal with neighbors calling in because we're trying to enforce...

neighbor complaint while trying to enforce ban → negative reaction to positive Δ

N: And you're trying to do something positive but...