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CB 8 asks City Council to mandate smoking ban in housing

By Madina Toure

Queens Community Board 8 approved a resolution calling on the City Council to pass legislation requiring all new multi-family housing to be smoke-free.

At its monthly board meeting at the Hillcrest Jewish Center in Fresh Meadows, board members 31-5 to pass the resolution, which calls for both new developments and owners and landlords of existing multi-family housing to explore the possibility of banning smoking.

Kevin Forrestal, chairman of CB 8's sanitation committee, presented the details of the resolution to board members.

He said establishments should explore the possibility of a smoking ban, noting the dangerous effects secondhand smoke has on individuals. "It calls for urging that establishments review their policy and strongly consider going this route," Forrestal said. "Each facility has to make their own determination."

The resolution recommends that owners and landlords in multi-family housing create smoke-free housing units and establish them wherever possible. Owners of multi-unit housing, including rentals, condominiums and co-ops, would also legislatively be required to disclose the building's smoking policy to current and prospective students.

The resolution also calls on the city Department of Buildings and the city Department of Health and Mental Hygiene to jointly communicate the health benefits of the legislation. In 2002 and 2011, the city passed smoking restrictions to include workplaces, restaurants, bars, parks, boardwalks, beaches, recreation centers, swimming pools and pedestrian plazas.

Multi-family buildings are required to register with the city Department of Housing Preservation and Development for purposes of code enforcement and compliance, but there is no requirement to disclose the building's smoking policy, an HPD spokesman said in an email.

The DOB has not yet received the resolution, but a spokesman said the agency only enforces the construction code.

Board members were divided on the resolution. Board member Marc Haken, who had cancer surgery stemming from smoking, said the resolution should be stronger.

He said the board of directors for Hilltop Village Coop #4, a 300-unit co-op in Hollis in which he resides, passed a no-smoking policy for all three Hilltop buildings about 1 1/2 years ago.

“The few people who said ‘nay’ didn’t say ‘nay’ because they smoke,” Haken said. “As a matter of fact, they said, ‘I don’t smoke, but it’s a constitutional right of an individual to smoke in their apartment.’ Like hell it is. No, it’s not.”

Tami Hirsch, another board member, said she quit smoking four years ago, but she said people should not be punished for smoking in their homes. “They should not be subject to harassment, subject to eviction from something that they’ve done in the privacy of their own home,” Hirsch said.

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http://www.timesledger.com/stories/2015/13/smokingban_tl_2015_03_27_q.html