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## Maize, Derby adopt bans on smoking

BY WHITNEY COLEMAN  
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Maize and Derby decided this week to ban smoking in public places, possibly putting pressure on Wichita and the state to eventually follow suit, smoke-free advocates say.

The new ordinances are more restrictive than Wichita's law, which will require businesses that serve people under 18 to go smoke-free starting Sept. 2.

Maize's ordinance banning smoking inside public businesses went into effect Thursday, two days after the council unanimously passed it.

The law bans smoking in restaurants but lets private employers allow smoking in nonpublic areas if they choose. Officials said Maize businesses will have a grace period for compliance.

The Derby City Council narrowly passed its ordinance Tuesday, banning smoking inside all public places and businesses as of Sept. 1.

Derby Mayor Dion Avello broke the 4-4 tie among council members on what has been a hot issue for months.

"It was a hard decision and an emotional decision," Avello said.

Cindy Claycomb, co-chairwoman of the Clean Air Wichita Campaign, said she thinks the state could go smoke-free one city at a time.

As of this week, 31 Kansas cities have passed some version of a smoking ordinance, according to records from the Tobacco Free Kansas Coalition Inc.

Though many of the laws have a lot in common, specifics vary in each city.

Maize City Administrator Richard Lamunyon said the ban won't affect the six restaurants in Maize, all of which are already nonsmoking.

Debbie Rather, owner of Little Busters Sports Bar & Grill, one of a few smoking establishments in Derby, said the law will change the way she does business.

Rather said she doesn't have a patio for smoking customers or the time and money to build one in a month.

"There's a lot of people that are very upset about it," she said. "The City Council... trying to tell a business how to run, I think, is wrong."

Derby's council had previously voted not to limit smoking in restaurants or bars with liquor licenses, but rethought the move after Wichita changed its policy.

About 20 members from Derby's Veterans of Foreign Wars chapter attended the council meeting to support excluding the VFW post from the smoking ban.

"To dictate to private Veteran Service Organization Post Homes... is a slap in the face of every Veteran whether they are a member or not," VFW member Cregg Hansen said in a letter to Derby newspapers.

Avello said the council's original intent with the new ordinance was to be consistent with nearby cities.

But he said the ordinance Wichita passed would be "an enforcement nightmare."

"You go from one city to another and they all have different plans," Avello said. "I think that the best thing to do is to have an even playing field for everybody."

Derby council member Cheryl Bannon said that's why she voted against the ordinance. She said she thinks the issue should be decided by state or federal governments instead of cities.

"There are a number of health issues in our society that need dealt with," Bannon said. "I don't know that any of them are anything that the city should deal with."

Derby resident Maria Galley, a mother of four, said she thinks the new restrictions are reasonable. She said smoking sections in restaurants never worked.

"It's like saying there's a peeing section in the pool," she said, echoing a phrase often seen in anti-smoking literature.

Reach Whitney Coleman at 316-268-6586 or [wcoleman@wichitaeagle.com](mailto:wcoleman@wichitaeagle.com).

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