

**THE IMPACT OF ANCHORAGE'S 2000 AND 2007
SMOKE-FREE POLICIES
ON SELECT RESTAURANTS AND BARS**

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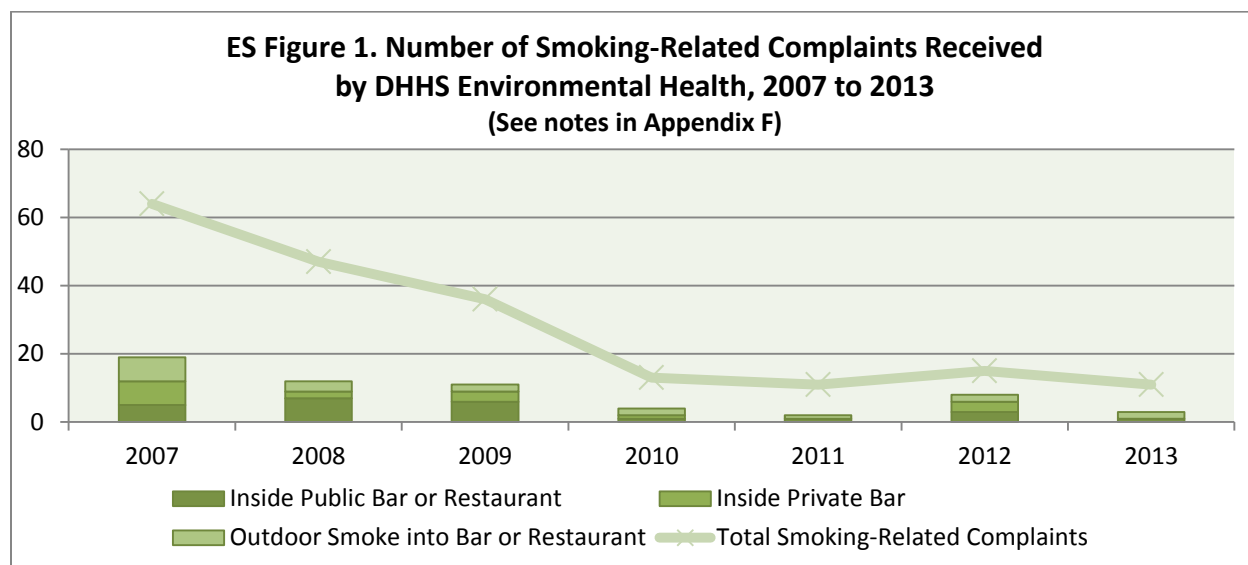
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Executive Summary

The American Lung Association in Alaska (ALAA) asked the Institute of Social and Economic Research (ISER) to investigate the impact of the Anchorage 2000 and 2007 Clean Indoor Air (CIA) municipal ordinances on selected restaurants and bars. As previous U.S. studies have been conducted that speak to the economic and health impacts of CIA laws, ALAA also requested that ISER synthesize results of these existing studies and conduct a survey on restaurant and bar representatives' perceptions of the impact of the ordinances.

Policy Enforcement

The Municipality of Anchorage (MOA), Department of Health and Human Services (DHHS), Division of Environmental Health, Food Safety and Sanitation Program is responsible for enforcing the smoke-free ordinances. Key informants shared that less than 5% of annual complaints received are for smoking related issues, and less than 5% of the investigations conducted are for smoking related issues. The number of organizations investigated for violations varied from three to six per year, and the number of complaints reported is summarized below:



Literature Review

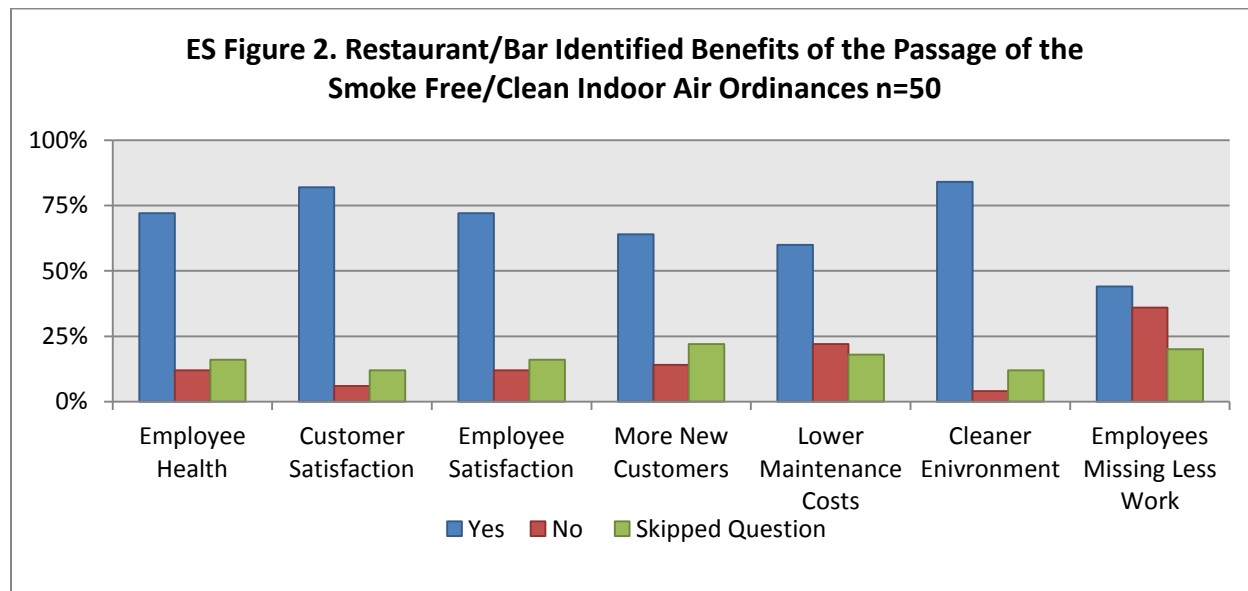
In a preliminary estimate of the economic impact of the 2000 CIA ordinance in Anchorage, Larson (2001) found that there was no detectable negative effect on employment in the hospitality industry by August of 2001. Between 2000 and 2001, employment increased by 10% in restaurants that went from restricted smoking before the ordinance to non-smoking after the ordinance, while employment increased by only 6% in restaurants that continued to allow restricted smoking after the ordinance.

Using employment data on Anchorage bars from 2001 to 2010, a report commissioned by the Alaska Department of Health and Social Services Tobacco Prevention and Control Program (2011) found that bar employment within the Municipality was 10% higher than it would have been if the 2007 Clean Indoor Air law would not have been implemented. Travers & Dobson (2008) compared the air quality in 13 smoke-free Anchorage bars after the passage of the 2007 CIA to seven Juneau bars where smoking was permitted. Similar to the results of previous studies, they found that the levels of respirable suspended particles (RSP) were 33 times higher in the Juneau bars when compared to those in

Anchorage. These particles are emitted from tobacco smoke and are particularly harmful because of their small size, making them easily inhalable into the lungs.

Survey of Selected Restaurants and Bars

ISER interviewed representatives of 50 full-service restaurants and bars in the Anchorage municipality on their perceptions of the smoke free indoor ordinances. A total of 96% (48/50) identified at least one benefit from the passage of the ordinances, with responses summarized below:



The majority of survey respondents (78%) indicated that customer feedback about the clean indoor air ordinances (CIA) was either very positive or somewhat positive, while 2% reported that customer feedback was very negative. The majority of respondents (76%) indicated that employee feedback on the CIA was either very positive or somewhat positive, while 6% reported that employee feedback was either somewhat negative or very negative.

The majority of survey respondents (92%) reported that customer compliance with the CIA was either excellent or good, while 2% reported customer compliance as fair. Similarly, 86% of respondents indicated employee compliance with the CIA was either excellent or good while 8% reported that employee compliance was fair.

Restaurant and bar representatives reported that they required smokers to stay an average of 30.5 feet away from the entrances to their establishments. At 58%, a little more than half of respondents (29/50) reported that the mandated minimum distance for their establishment was appropriate (5 ft. for bars or restaurants that serve alcohol, 20 feet for restaurants that do not serve alcohol); 38% (19/50) reported that the mandated distance for their establishment was inappropriate. A majority of respondents, 62% (31/50), felt that a different mandated distance would be more appropriate, suggesting an average of 30 ft.

Limitations

The survey results are not necessarily representative of Anchorage full service restaurants and bars. However, the consistency of the findings suggests agreement on the effects of the ordinance and the lack of any systemic issues arising from implementing smoke-free workplace policies.

Introduction

The American Lung Association in Alaska (ALAA) has asked the Institute of Social and Economic Research (ISER) to investigate the impact of the Anchorage 2000 and 2007 Clean Indoor Air municipal ordinances on selected restaurants and bars. As previous U.S. studies speak to the economic and health impacts of Smoke Free and Clean Indoor Air Laws., ALAA also requested that that ISER synthesize results of these existing studies, and conduct a survey on restaurant and bar representatives' perceptions of the impact of the ordinances. ALAA outlined three areas of focus for this project, including:

- Previous work and findings related to the impact of smoke free ordinances on businesses, including potential changes in employment
- Enforcement of the smoke free ordinances in Anchorage
- Restaurant and bar representatives' perspectives on the impact of the smoke free ordinances

To inform these areas of interest, ISER conducted a literature review of previous work related to smoke free policies, a survey of restaurant and bar representatives in Anchorage, and key informant interviews with individuals responsible for enforcement of the smoke free policies.

This report begins with an introduction, followed by the results of a review of the previously published literature related to smoke free policies in Alaska. The methodology for both the key informant interviews and the survey of restaurants and bars are described in the next section. The methodology includes information on the selection of respondents and details of how the data was collected and analyzed. Finally, we describe findings from the key informant interviews and survey. Appendices contain the questions posed to key informants, the survey used with restaurant and bar representatives, and verbatim comments on the impact of the Anchorage smoke free ordinances.

Anchorage Municipal Ordinances

Anchorage Municipal Ordinance 2000-91(S), Effective December 31, 2000

In 2000, the Anchorage Assembly amended title 16 of the municipal code, adding chapter 16.65 about smoking in work and enclosed public spaces. The law took effect December 31, 2000. The code prohibited smoking in the Anchorage municipality in:

- Enclosed public spaces
- Places of employment

Exempted from this regulation were:

- Private residences
- Places of employment with four or less employees
- 25% of hotel and motel rooms rented to guests
- Retail tobacco stores
- Private functions in restaurants, hotel and motel conference or meeting rooms and public or private assembly rooms
- Bars -defined as a "...premise licensed under AS 04.11.090 [beverage dispensary license that authorizes selling or serving of alcohol] which does not employ any person under the age of 21 and which does not serve any person under the age of 21 unless accompanied by a parent or legal guardian and where tobacco smoke cannot filter into any other area where smoking is prohibited through a passageway, ventilation system, or other means."

- Bingo halls and pull tab establishments where an enclosed non-smoking section is offered to patrons.

Full text of the ordinance is available online at:

[http://www.muni.org/Departments/Assembly/legislation/2000%20Ordinances/AO2000-091_\(S\).pdf](http://www.muni.org/Departments/Assembly/legislation/2000%20Ordinances/AO2000-091_(S).pdf)

Anchorage Municipal Ordinance 2006-86(S), Effective July 1, 2007

The Municipality of Anchorage repealed and reenacted Chapter 16.65 of the Municipal Code, effective July 1, 2007 by ordinance 2006-86(S). This ordinance extended the prohibition of smoking to:

- Enclosed areas on properties owned or controlled by the Municipality of Anchorage (MOA)
- All areas within 20 feet of each entrance to enclosed areas or properties owned or controlled by the MOA
- All areas within 50 feet of each entrance to a hospital or medical clinic
- All enclosed areas where a person provides child care on a fee for service basis
- Seating areas of outdoor arenas, stadiums, and amphitheaters
- All areas within five feet of the entrance to a premise with a liquor license

Exceptions to this regulation were:

- A maximum of 25% of hotel and motel rooms rented to guests, if at least 75% of rooms are designated permanently nonsmoking
- Private clubs not licensed for the sale of alcoholic beverages that are not places of employment when they are not open to the public
- Outdoor places of employment not identified in the ordinance
- Private residences when child care is not being provided on a fee for service basis

This ordinance effectively extended the smoking prohibition to bars, tobacco retail stores, bingo halls and pull tab establishments, small businesses, entrances to some buildings, child care establishments, and outdoor public places.

Violations to this ordinance were set at:

- A fine not exceeding \$100 for the first violation
- A fine not exceeding \$200 for the second violation
- A fine not exceeding \$500 for each additional violation

These violations are investigated by the MOA Code Enforcement (Health & Sanitation).

Full text of the ordinance is available online at:

[http://www.muni.org/Departments/Assembly/legislation/2006%20Ordinances/ao2006-086_\(S\).pdf](http://www.muni.org/Departments/Assembly/legislation/2006%20Ordinances/ao2006-086_(S).pdf)

Policy Enforcement

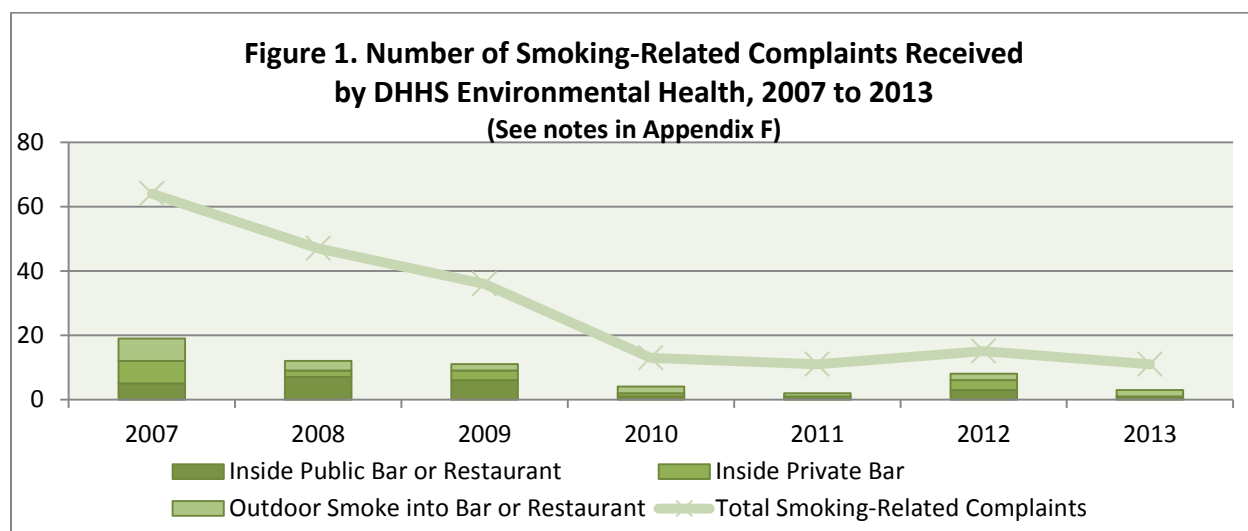
The Municipality of Anchorage (MOA), Department of Health and Human Services (DHHS), Division of Environmental Health, Food Safety and Sanitation Program (FSS) regulates smoking in public facilities in Anchorage. ISER staff conducted key informant interviews with individuals responsible for enforcing the smoke-free ordinances. Responding to questions about the enforcement process, informants shared that most clean indoor air violations were reported through an online complaint system. Enforcement officers reported that they then send an informational packet to organizations where a complaint has been reported, with escalating enforcement actions taken in the absence of voluntary compliance. In response to complaints, enforcement officials reported that they typically

sought to first inform the potentially offending organization, a tactic that was employed “especially when the code was first adopted”. In the words of a key informant:

“The first action taken is to notify the alleged offending party by ‘friendly letter’ advising them of the ordinance and that they may be in violation. We include a packet of information and no smoking signs with this ‘friendly letter’ [includes a copy of the code and American Lung Association information about secondhand smoke exposure and risks]. If . . . complaints [continue] at that location, we will follow the letter with a Notice of Violation; indicating that we’ve had multiple complaints at this site and request that they inform us of the action they intend to take. If we receive complaints after sending a Notice of Violation, our policy is to visit the location to observe the violation. If we do observe a continuing violation, we would then issue a citation. Although we have the ability to issue citations enforced through District Court, our enforcement action is usually done through a Complaint filed with the Administrative Hearing Office.”

Key informants reported that, while the number of organizations investigated for violations of the ordinances varies from year to year with somewhere between three to six complaints per year, “the majority of [the] complaints are handled by phone contact or friendly letter; they are not investigated through site visit.” From the key informant interviews ISER learned that “the municipality has not fined a business for violation of the ordinance.” The key informants were also not aware of other organizations, such as APD, issuing any citations for violating the secondhand smoking ordinances. Consequently, the effect of issuing fines cannot be assessed. Key informants shared that the threat of a fine may be a potential incentive for organizations to come into compliance with the secondhand smoke ordinances. One of the key informants stated that; “I understand the municipality took legal action against one business shortly after the ordinance was first adopted. To the best of my knowledge, the municipality (DHHS) has not issued a citation or fine for violation of the smoking ordinance since then.”

The MOA provided ISER with data on smoke free ordinance violations between 2007 and 2013, which is the time period following the second smoke free ordinance in Anchorage. This data, extracted from the municipal enforcement system, shows that the number of smoking related complaints received has trended downwards from 2007 to 2011 (see Figure 1). Complaints increased slightly in 2012 and then declined in 2013 to approximately the 2010 level. During key informant interviews it was reported that a relatively small percentage of the Environmental Health Program workload is related to smoking:



A key informant reported that less than 5% of the complaints received at the Department of Health and Human Services (DHHS) Environmental Health Programs are for smoking related issues and less than 5% of the investigations conducted at the DHHS Environmental Health Programs are for smoking related issues. Key informants shared that a lack of resources is a challenge to enforcing the smoke-free ordinances. However, a key informant felt that education and signage were best practices to address and prevent violations of the smoke free ordinances.

As enforcement activity is not engaged in unless there are continuing complaints after an educational approach has been tried, sufficient information is currently lacking to assess the general level of compliance or the impact of current enforcement activities on compliance. However, further research may inform these issues.

Literature Review

Impact of Smoke-Free Laws on Employment and Air Quality

Anchorage Studies

Effective December 31, 2000, the Municipality of Anchorage created designated areas in nearly all indoor public spaces, including restaurants, but excluding bars (AO No. 2000-91(S), § 1, 12-31-00). In a preliminary estimate of the economic impact of the ordinance, Larson (2001) found that there was no detectable negative effect on employment in the hospitality industry in Anchorage by August of 2001. Between 2000 and 2001, employment increased by 10% in restaurants that went from restricted smoking before the ordinance to non-smoking after the ordinance, while employment increased by only 6% in restaurants that continued to allow restricted smoking after the ordinance.

The Anchorage smoking ordinance was amended, effective July 1, 2007, ensure smoke-free air in all restaurants and bars within the Municipality, and is now referred to as the Anchorage Clean Indoor Air Law (CIA) (AO No. 2006-86(S), § 1, 7-01-07). Using employment data on Anchorage bars from 2001 to 2010, a report commissioned by the Alaska Department of Health and Social Services Tobacco Prevention and Control Program (2011) found that bar employment within the Municipality was 10% higher than it would have been if the CIA had not been implemented. The researchers employed a seasonally adjusted regression model, and although they found that bar employment declined immediately following the passage of CIA, employment was discovered to steadily increase after the initial drop.

Travers & Dobson (2008) compared the air quality in 13 smoke-free Anchorage bars after the passage of CIA to 7 Juneau bars where smoking was permitted. Similar to the results of previous studies, they found that the levels of respirable suspended particles (RSP) were 33 times higher in the Juneau bars when compared to those in Anchorage. These particles are emitted from tobacco smoke and are particularly harmful because of their small size, making them easily inhalable into the lungs.

Methodology

Institutional Review Board

The UAA Institutional Review Board (IRB) reviews all research involving people that is conducted at the University of Alaska Anchorage (UAA). The UAA IRB's main role is to ensure that the research fulfills the requirements of federal regulations that protect human volunteers in research. ISER submitted required information to the UAA IRB, which determined that the necessary safeguards were in place, and granted ISER approval to conduct both the key informant interviews and the survey of restaurant and bar representatives.

Key Informant Interviews

Recruitment

The American Lung Association in Alaska has a link and phone number to report violations of the Anchorage ordinance prohibiting smoking, located online at:

<http://www.lung.org/associations/states/alaska/local-programs/tobacco-control/sfac/> . Staff at the Institute of Social and Economic Research called this posted phone number and learned that the employees of the Municipality of Anchorage, Department of Health and Human Services, Environmental Health Division, Food Safety and Sanitation Program were responsible for the enforcement of the Smoke-Free /Clean Indoor Air ordinances. A MOA employee provided contact information for the Food Safety and Sanitation Program Manager and a Public Information Officer who referred ISER staff to the Anchorage Air Quality Specialist. These informants helped with providing the names and contact information for the enforcement employees within the MOA, DHHS, and Environmental Health Food Safety and Sanitation Program.

Interview Questions

ISER and the American Lung Association in Alaska developed key informant interview questions to explore enforcement activity around the smoke free laws , including procedures, violations, and fines. The key informant interview questions were also designed to gather perceptions of enforcement staff responsible for enforcement of the smoke free ordinances. The interview questions are located in Appendix A.

Data Collection

Key informant interviews were conducted by a trained ISER interviewer who coordinated with potential respondents to conduct each interview at the respondent's convenience. ISER staff explained the project to each potential respondent, verified their eligibility, requested the respondent's participation, and attained informed consent. Interviews of approximately 45 min. in length were conducted via phone, digitally recorded, and transcribed, or conducted via email. Interviews were conducted from November 7 to December 6, 2013.

Survey of Restaurants and Bars

Population Frame and Selection of Respondents

The American Lung Association in Alaska provided three Excel spreadsheets to the Institute of Social and Economic Research to select appropriate establishments for the proposed survey. These spreadsheets included:

- Active Food Service Establishments as of August 27, 2013
- Municipality of Anchorage businesses with active liquor licenses in 2012
- List of all Active Anchorage Food Service Establishments as of Sep. 11, 2013 with contact names and phone numbers

After discussion with the American Lung Association in Alaska, it was decided that the focus of the survey would be full service restaurants and bars in the Municipality of Anchorage. A sample frame of full-service restaurants and bars was selected from the list of active Anchorage food service establishments. Coffee shops, fast food places, and ice cream places were eliminated and the sample frame was checked with restaurant names provided by the Department of Labor and Workforce Development to verify accuracy of the selection. To achieve 50 completed surveys, a total of 201 establishments were randomly chosen from the sample frame. This selection may not be representative of Anchorage full service restaurants and bars. However, we retained the same percentage mix of restaurants and bars as in the original data.

After the sample of 201 restaurants and bars was generated, further review to ensure that only full service restaurants and bars were selected resulted in excluding 35 of the 201 establishments, leaving 166. During the course of the survey an additional 20 establishments were excluded, reducing the sample to 146. These 55 establishments were excluded for the following reasons:

- 34 were located inside another building
- 9 were not full service
- 8 did not have a working phone number
- 3 were closed
- 1 was a fast food restaurant

Survey Questionnaire

The survey questions ask the restaurant or bar representative about their perceptions of the benefits of the smoke free laws, customer and employee compliance, customer and employee feedback about the ordinances, and the distance establishments require individuals who are smoking to stand away from their entrances. The survey instrument was developed by ISER, based on discussions with the ALAA team. The questionnaire is located in Appendix B.

Data Collection

Trained ISER interviewers called the identified businesses to complete the survey. ISER staff explained the project, verified the participants' eligibility for the study, attained informed consent from the participants, and administered the survey. Responses were recorded on an Excel spreadsheet or written on paper and later transcribed to the spreadsheet. The survey was conducted between November 25th and December 6th, 2013. On average, each interview lasted 6 minutes and 17 seconds, with 29 interviews (58%) less than or equal to 5 minutes and 6 interviews (12%) greater than 10 minutes in length.

Analysis

Quantitative and qualitative interview data from the key informant interviews and survey were entered, edited, cleaned, and analyzed using Excel. Content analysis of the qualitative data was completed using conceptual/thematic descriptions of the data based on open coding.

Key Informant Interview Findings

Findings from the key informant interviews are described in the section on Policy Enforcement.

Survey Findings

Of the 50 surveyed establishments, 42 (84%) self-identified as restaurants, while 2 (4%) identified as bars and 6 (12%) identified as both restaurants and bars. These 50 establishments had an average of 21.4 employees, ranging from 2 to approximately 115 employees. 19 establishments (38%) had less than 10 employees, 10 establishments (20%) had 10-19 employees, 9 establishments (18%) had 20-29 employees, and 10 establishments had 30 or more employees (20%).

Benefits

Respondents were read a list of potential benefits from the passage of the CIA ordinances and asked to respond yes or no to whether or not each potential benefit had been experienced by their establishment as a result of the CIA. A total of 96% (48/50) of surveyed full-service restaurant and bar representatives identified at least one benefit from the passage of the smoke-free ordinances in Anchorage. At two of the establishments, the respondents reported that their businesses were newer

than the ordinance and hence they did not feel they could comment on any benefits from the passage of the ordinances. Responses are summarized in Figure 2 and Table 1 below:

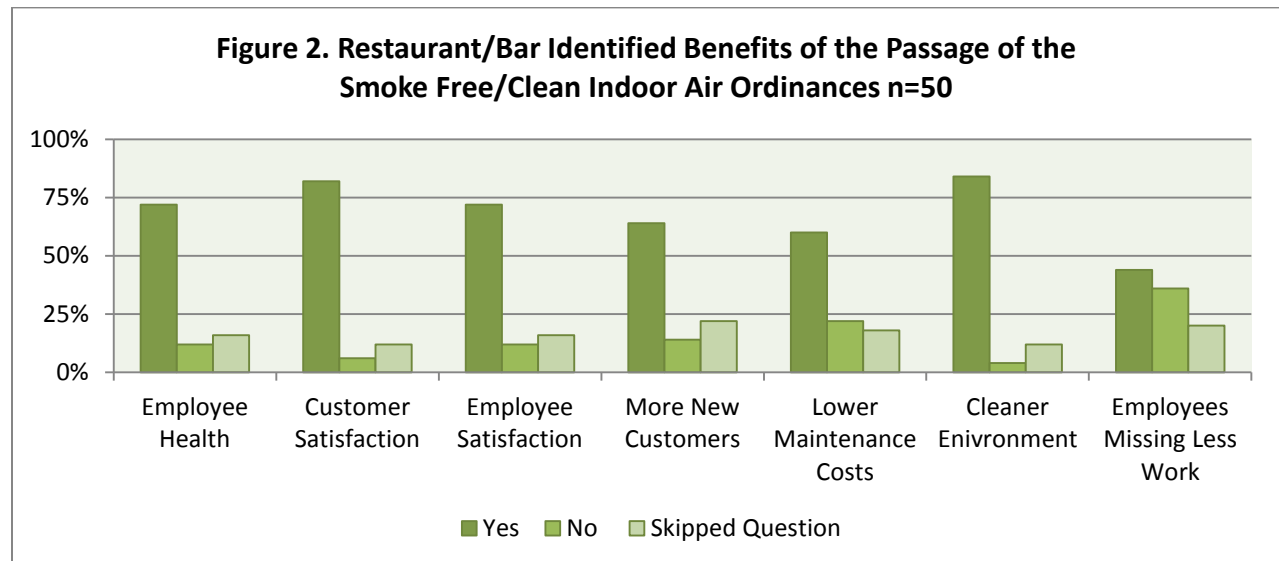


Table 1. Potential Benefits of the Anchorage Smoke Free Ordinances: Number and Percent

Potential Benefit	Respondent Answers		
	# (%) Yes	# (%) No	# (%) Skipped Question
Increased Employee Health	36 (72%)	6 (12%)	8 (16%)
Increased Customer Satisfaction	41 (82%)	3 (6%)	6 (12%)
Increased Employee Satisfaction	36 (72%)	6 (12%)	8 (16%)
More New Customers	32 (64%)	7 (14%)	11 (22%)
Lower Maintenance Costs	30 (60%)	11 (22%)	9 (18%)
Cleaner Environment	42 (84%)	2 (4%)	6 (12%)
Less Employee Sick Days/Employees Missing Less Work	22 (44%)	18 (36%)	10 (20%)

Most respondents identified a cleaner environment (84%), increased customer satisfaction (82%), employee satisfaction (72%), employee health (72%), more new customers (64%), and lower maintenance costs (60%) as benefits of the passage of the clean indoor air ordinances. Fewer respondents (44%) identified less employee sick days/employees missing less work as a benefit of the ordinances. Of the 50 respondents, 22 skipped at least one benefit category. Of those 22 respondents, five respondents reported that they had skipped a response category because their establishment had been smoke-free prior to the ordinance.

There were 24 respondents that shared comments on additional benefits. The most frequently occurring comment involved better smell, identified as a benefit by eight respondents. A verbatim summary of comments is included in Appendix C.

Customer and Employee Feedback

Survey respondents were asked how customer and employee feedback about the smoke-free ordinances had been, and were requested to choose from the options: very positive, somewhat positive, somewhat negative, or very negative. Responses are summarized in Figure 3 and Table 2:

Figure 3. Restaurant/Bar Perceptions of Customer and Employee Feedback to the Smoke Free/Clean Indoor Air Ordinances

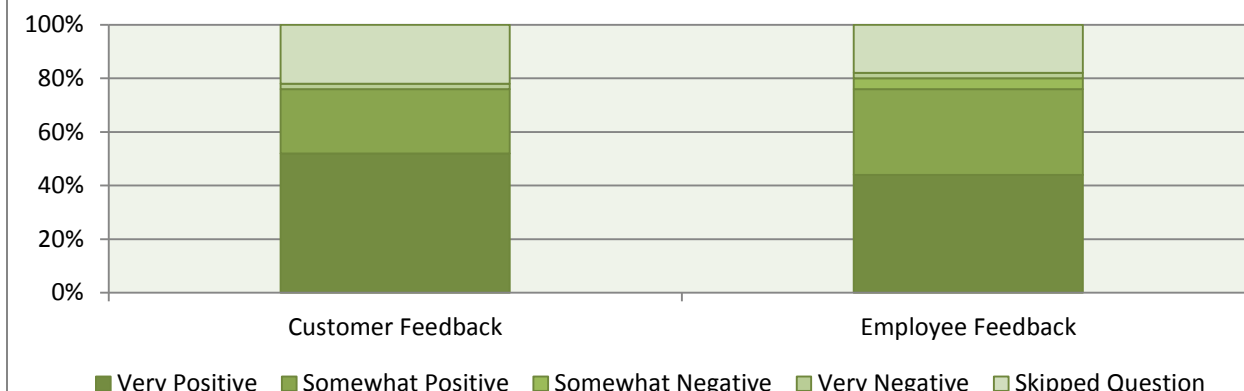


Table 2. Customer and Employee Feedback: Number and Percent by Response Category

Whose Feedback	# (%) Very Positive	# (%) Somewhat Positive	# (%) Somewhat Negative	# (%) Very Negative	# (%) Skipped Question
Customer	26 (52%)	12 (24%)	0 (0%)	1 (2%)	11 (22%)
Employee	22 (44%)	16 (32%)	2 (4%)	1 (2%)	9 (18%)

The majority of survey respondents (78%) indicated that customer feedback was either very positive or somewhat positive, while 2% reported that customer feedback was very negative. The majority of survey respondents (76%) indicated that employee feedback was either very positive or somewhat positive, while 6% reported that employee feedback was either somewhat negative or very negative.

While most respondents did not offer additional comments on customer or employee feedback, nine respondents shared further thoughts. Of these nine, six respondents reported that they had not had any customer or employee feedback and chose to skip answering the question. There were two respondents who commented that customer and employee feedback was negative at first, but that they hadn't heard anything lately and one respondent commented that the ordinance was not good for smokers as they had to go outside in the cold.

Customer and Employee Compliance

Respondents were asked how they would describe customer and employee compliance with the smoke-free ordinances, choosing from the possible responses: excellent, good, fair, or poor. Survey respondents' perceptions of customer and employee compliance with the Clean Indoor Air ordinances are summarized below in Figure 4 and Table 3.

Figure 4. Restaurant/Bar Perceptions of Customer and Employee Compliance with the Smoke Free/Clean Indoor Air Ordinances

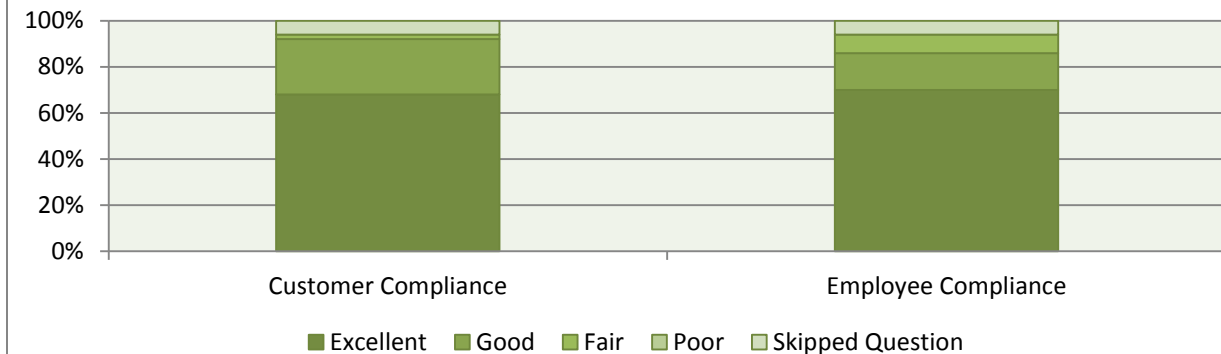


Table 3. Customer and Employee Compliance: Number and Percent by Response Category

Whose Compliance	# (%) Excellent	# (%) Good	# (%) Fair	# (%) Poor	# (%) Skipped Question
Customer	34 (68%)	12 (24%)	1 (2%)	0 (0%)	3 (6%)
Employee	35 (70%)	8 (16%)	4 (8%)	0 (0%)	3 (6%)

Of the survey respondents, 92% reported that customer compliance was either excellent or good, while 2% reported that customer compliance was fair. 86% of survey respondents indicated that employee compliance was either excellent or good while 8% reported that employee compliance was fair. No survey respondents indicated that either customer or employee compliance was poor.

While the majority of respondents did not offer additional feedback on customer and employee compliance, three respondents shared further comments. One reported that compliance was an issue at first but that the rules are now known; another said they'd had compliance issues with certain populations; and one chose to skip the prompt and reported only that they'd had no complaints.

Distance Away from the Entrance

Of the 50 respondents, 35 shared that they required smoking individuals to stay between 0-100 feet away from their entrances (see Table 6). There were 15 business representatives who did not report a specific distance in feet that their establishment required smoking individuals to stay away from their entrances (9 establishments with a 5 ft. minimum distance and 6 establishments with a 20 ft. minimum distance). Among the 15, four said that they did not have a specific distance for smoking individuals to remain away from the entrances to their establishment, seven respondents stated that they've never had a problem with someone smoking next to the entrance, one shared that they do not enforce a specific distance, two reported that they asked smoking individuals to be outside the building, and one stated that smokers should be on the other side of the door. The distances that respondents reported requiring smoking individuals to remain away from the entrances to their establishments are summarized in Tables 4:

Table 4. Distance Away from the Door: Average Required and Better Distances

Distance Away from the Door	Among Businesses with a 5 ft. minimum required distance from the door	Among Businesses with a 20 ft. minimum required distance from the door
Average required distance (# reporting any required distance)	29 ft. (26)	34 ft. (9)
Average better distance (# reporting any better distance in ft.)	31 ft. (21)	28 ft. (10)

Of the 35 survey respondents (70%) who provided a distance they required smoking individuals to stay from their entrances, responses ranged from 0-100 feet, averaging 30.5 feet. However, 15 (30%) representatives did not report a specific distance in feet.

When asked about the appropriateness of the mandated minimum distances (as specified in the ordinance) that smokers must remain away from the entrance to their establishments, 58% (29/50) reported that the mandated distance for their establishment was appropriate (5 ft. for bars or restaurants that serve alcohol, 20 feet for restaurants that do not serve alcohol); 38% (19/50) reported that the mandated distance for their establishment was inappropriate, as summarized in Table 5:

Table 5. Distance Away from Door by Respondent Type

Distance Away from the Door	Among Businesses with a 5 ft. minimum required distance from the door	Among Businesses with a 20 ft. minimum required distance from the door	Total
# reporting mandated distance inappropriate	16	3	19
# reporting mandated distance appropriate	18	11	29
# Skipped question on mandated distance	1	1	2
# (%) Total	35 (70%)	15 (30%)	50 (100%)

Establishments chose a range of distances when asked what a more appropriate mandated distance for smokers to remain away from entrances would be for their type of establishment, as summarized in Table 6. We found the 62% of respondents (31/50) felt that a different mandated distance would be more appropriate, with combined responses averaging 30 ft. from establishment entrances.

Table 6. More Appropriate Distance from the Door, As Reported by Respondents

More Appropriate Distance from the Door	Number of Businesses with 5 ft. mandated minimum	Number of Businesses with 20 ft. mandated minimum	Total
0-9 ft.	0	0	0
10-19 ft.	6	5	11
20-29 ft.	8	0	8
30-39 ft.	1	1	2
40-49 ft.	0	1	1
50-59 ft.	5	3	8
60 ft. or greater	1	0	1
Did not report any specific distance	14	5	19
Total	35	15	50

When prompted to elaborate on their responses as to how far away a smoking individual should stay from the entrances to their establishments, 34 individuals shared additional comments. Common themes are summarized below:

- Ten reported that a close distance allows smoke to come back inside the door
- Four felt like there was not enough room to ask a smoking individual to move farther away from the door
- Four were concerned about the smell of smoke
- Four didn't want to inconvenience nonsmokers, including patrons standing at the door of their establishment
- Four were worried about secondhand smoke
- Three felt like different establishments were unique and could tolerate different minimum distances
- Three didn't have a preference for a mandated distance
- Two expressed concerns about children inhaling smoke

A verbatim summary of comments related to the distance smoking individuals remain away from the entrances to surveyed establishments is included in Appendix D.

Additional Comments

There were sixteen respondents who shared additional comments during the survey, which are included in Appendix E.

Follow-Up

A total of 33 respondents reported that they would be willing to participate in a follow-up conversation, and provided their name and contact information. There were four of these individuals who said specifically when they would be available for a follow-up conversation.

Limitations

The survey results are from a random sample that is not necessarily representative of Anchorage full service restaurants and bars, but rather a summary of the responses of the 50 establishment representatives that completed the questionnaire. Some of the businesses selected for the study were not in operation before the enactment of the clean indoor air ordinances, and therefore

respondents' opinions may have been based on how they thought the environment changed, rather than from their experiences at the selected establishments. While some of the selected businesses were operational during 2001 and 2007, survey respondents were not asked how long they had been with their establishments, and consequently may not have been working during the enactment of the clean indoor air ordinances. In addition, selected establishments that did not have a representative who spoke English well enough to complete the survey are not included. This effort therefore paints a descriptive picture regarding the perspectives of the establishment representatives we were able to reach. However, even with these limitations in mind, the consistency of the findings indicates agreement on the positive effects of the ordinance and the lack of any systemic issues arising from implementing smoke-free indoor policies.

References

- Adams, Scott, & Cotti, Chad D. (2007). "The Effect of Smoking Bans on Bars and Restaurants: An Analysis of Changes in Employment". *The B.E. Journal of Economic Analysis & Policy* Vol. 7 Issue 1. <http://www.bepress.com/bejeap/vol7/iss1/art12>.
- Alpert, Hillel R., Carpenter, Carrie M., Travers, Mark J., & Connolly, Gregory N. (2007). "Environmental and Economic Evaluation of the Massachusetts Smoke-free Workplace Law". *Journal of Community Health*. Published online 14 March 2007.
- Hyland, Andrew, & Cummings, K. M. (1999). "Restaurant Employment Before and After the New York City Smoke-Free Air Act". *Journal of Public Health Management and Practice* 5: 22-7.
- Larson, Eric. (2001). "Preliminary Estimates of the Economic Impact of the Anchorage Smoking Ordinance". *Institute of Social and Economic Research: Anchorage*.
- Loomis, Brett R., Shafer, Paul R., & van Hasselt, Martijn. (2013). "The Economic Impact of Smoke-Free Laws on Restaurants and Bars Across 9 States". *Preventing Chronic Disease* 10:120237. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3733478/>.
- Pickett, Melanie S., Schober, Susan E., Brody, Debra J., Curtin, Lester R., & Giovino, Gary A. (2006). "Smoke-free laws and secondhand smoke exposure in US non-smoking adults, 1999–2002". *Tobacco Control* 15:302-7. doi:10.1136/tc.2005.015073.
- Repace, James L., Hyde, James N., & Brugge, Doug. (2006). "Air Pollution in Boston Bars Before and After a Smoking Ban". *BMC Public Health*, 6:266. doi:10.1186/1471-2458-6- 266.
- Tobacco Prevention and Control Program. (2011). "Impact of the July 2007 Anchorage Clean Indoor Air Law on Employment in Bars and Taverns". *Alaska Department of Health and Social Services*.
- Travers, Mark J., & Dobson, Katharine A. (2008). "Alaska Air Monitoring Study". *Roswell Park Cancer Institute: Buffalo*.

Appendix A.

Key Informant Semi Structured Interview Guide

INTRODUCTION

[Please read the following text to the prospective participant]

Hello, I'm [PLEASE PROVIDE YOUR FULL NAME] from the University of Alaska Anchorage, may I please speak with [KEY INFORMANT NAME]?

My name is _____, from the Institute of Social and Economic Research at the University of Alaska Anchorage. We are conducting a small number of interviews with municipal employees who are knowledgeable about the smoke free /clean indoor air ordinances in Anchorage, Alaska. The interviews are sponsored by the American Lung Association in Alaska, and are part of a project to learn about the effects of smoke free public policies.

- 0 Key informant or gate keeper not available → (Skip to S1)
- 1 Key Informant available → (Skip to A1)

-
- 4 Gatekeeper soft refusal → **Thank and suggest another time to call back**
 - 5 Gatekeeper hard refusal → **Thank and Terminate**
 - 6 Key informant soft refusal → **Thank and suggest another time to call back**
 - 7 Key Informant refusal → **Thank and Terminate**
 - 8 No longer works/lives here → **Thank and Terminate**
 - 9 Never heard of respondent → **Thank and Terminate** (try Directory Assistance)
-

S1. _____ is a very important part of a study on smoke free policies that we are conducting for the American Lung Association in Alaska. Do you happen to know when he/she might be available?

- ☐ Date and time provided

Time:

Date:

Do you have a better telephone number for me to be able to reach _____?

Phone number:

Thank you. I will try to call him/her back on [Read the above time and date]

- _____]
- ☐ Don't know → **Thank and Terminate**
- ☐ Refused → **Thank and Terminate**

INFORMED CONSENT

Read the consent text. Emphasize that participation is voluntary; they may decline to answer any question or withdraw at any time without penalty. Answer all questions before proceeding.]

Your name and contact information was provided to us by your colleagues at the Municipality of Anchorage Environmental Health Programs. They have identified you as a person who is very knowledgeable and has information on perception and effects of smoke free policies.

This study is sponsored by American Lung Association in Alaska and its results will be used to learn about the perception of smoke free policies; their influence on businesses, and compliance issues.

The interview takes about 20 to 30 minutes to complete. Your participation is voluntary, and all your answers will be kept confidential. In our report your answers will be combined with those of other who are knowledgeable of smoke free policies so that no person's answers can be identified. If there is any question you do not wish to answer, simply tell me and we can skip that question. You may stop the interview at any time. If you have any questions about your rights, I can give you the name and telephone number of the person to contact [Dr. Diane Toebe, 786-1099]. If you have questions about this study, I can give you the name and number of the person in charge of it [Rosylind Frazier, 786-5432]. Do you have any questions?

- ☐ Yes [IF YES: ANSWER THEIR QUESTIONS, RECORD THEIR QUESTION AND YOUR RESPONSE AND CONTINUE TO THE INTERVIEW. IF YOU ARE UNABLE TO ANSWER THE QUESTIONS, PLEASE GET A SUPERVISOR FOR ASSISTANCE.]
- ☐ No [IF KEY INFORMANT DOESN'T HAVE TIME FOR THIS RIGHT NOW, OR WOULD LIKE YOU TO CALL BACK LATER:]

I could conduct the interview at another time convenient for you. When would be a good time to call back?

[RECORD TIME AND DATE. GET A SPECIFIC TIME AND DAY; SUGGEST A TIME AND DAY IF RESPONDENT "DOESN'T KNOW"]

Time:

Date:

Is this the best number to reach you, or is there a better telephone number for me to reach you then?

Telephone number:

Thank you. I will try to call back at [Read the above time and date].

[Begin Interview]

1. What is the name of this department/division/program?

2. What is your job title?

3. How long have you been employed enforcing the Anchorage Clean Indoor Air/Smoke Free Anchorage ordinances?

4. What else do you do beyond the Clean Indoor Air enforcement? For example, what would your typical day at work look like?

We are interested in learning more about the implementation, compliance, and enforcement of the Anchorage Clean Indoor Air Ordinances.

5. Please describe your experiences enforcing the Anchorage Clean Indoor Air laws/Smoke Free Anchorage Ordinances [probes:
Both 2000 and 2007 ordinances

-How is a business' violation of the smoke free ordinances reported and cited?

6. How effective are the fines at reducing violations to the ordinances? Our choices are: Very effective, somewhat effective, or ineffective.

- ☐ Very effective
- ☐ Somewhat Effective
- ☐ Ineffective

Please Explain:

6a. Do you think compliance would be different if the fines were higher?

- ☐ Yes
- ☐ No

6a1. Could you tell me more?

6b. Do you feel compliance would be different if the fines were lower?

- ☐ Yes
- ☐ No

6b1. Could you tell me more?

7. What challenges are there in enforcing the smoke free ordinances?

7a. How have these challenges been addressed?[Probe: overcome]

8. What are best practices for dealing with violations to the Anchorage Clean Indoor Air ordinances?

For the supervisory staff skip 9 and 10. Continue at 11.

For all other key informants continue to question 9.

9. What suggestions do you have for improving the Anchorage Clean Indoor Air enforcement process?

10. Is there anything else you would like to share about Anchorage's smoke free ordinances?

These are all the questions I have. Thank you very much for your cooperation.

[END OF INTERVIEW]

[FOR SUPERVISORS ONLY]

11. Are violations of the smoke free ordinance tracked?

[If not,] why?

[If so ask the following questions:]

11a. Are they tracked by date?

- ☐ Yes
- ☐ No

11b. Are there reports based on this data that we can access? If yes, how?

- ☐ Yes
- ☐ No

11c. How can we obtain access to the tracking data?

[DEPENDING ON THE RESPONSE TO THE TO THE QUESTION ON ACCESSING THE DATA SET, IF ISER CANNOT OBTAIN ACCESS PLEASE CONTINUE WITH THE FOLLOWING QUESTIONS]

Regarding the smoke free Anchorage ordinances:

12. How many complaints have been reported?

13. How many investigations have been conducted?
14. How many fines/citations for violations have been issued?
15. What percent of the total enforcement workload is the Anchorage Clean Indoor Air law?
 - 15a. Complaints
 - 15b. Investigations
 - 15c. Fine/citations
16. How many organizations have complaints been filed against?
17. How many organizations have been investigated for violations of the ordinances?
18. How many organizations have been fined for violating the ordinances?
19. Is there anything else you would like to share about Anchorage's smoke free ordinances?

These are all the questions I have. Thank you very much for your cooperation.

Appendix B.

Survey of Restaurants and Bars Questionnaire

Anchorage Survey of Full Service Restaurants and Bars November 2013

Hello, I'm [PLEASE PROVIDE YOUR FULL NAME] from the University of Alaska Anchorage

May I please speak with the owner or manager of [NAME OF RESTAURANT/BAR]?

or

Hello. Is this [NAME OF OWNER OR MANAGER OF ESTABLISHMENT]?

My name is [PLEASE PROVIDE YOUR FULL NAME], from the Institute of Social and Economic Research at the University of Alaska Anchorage. We are conducting a small number of interviews with owners and managers of Anchorage full-service restaurants and bars who are knowledgeable about the smoke free/clean indoor air ordinances in Anchorage Alaska. The interviews are sponsored by the American Lung Association in Alaska, and are part of a project to learn about the effects of smoke free public policies.

I'd like to verify that you are the owner or manager of [NAME OF RESTAURANT/BAR]?

_ Yes [If yes → , record information below, then thank and terminate
[ENTER INFORMATION PROVIDED – TELEPHONE PHONE NUMBER.]

Phone Number(s) _____

_ No [If no → I'm sorry to have bothered you, could you tell me how I might be able to contact the owner or manager of [name of restaurant/bar]?

_ Don't know → Thank and terminate

- | | |
|---|--|
| 0 | Key informant or Gatekeeper not available → (Skip to S1) |
| 1 | Key Informant available → (Skip to A1) |

-
- | | |
|---|---|
| 4 | Gatekeeper soft refusal → Thank and suggest another time to call back |
| 5 | Gatekeeper hard refusal → Thank and Terminate |
| 6 | Key informant soft refusal → Thank and suggest another time to call back |
| 7 | Key Informant refusal → Thank and Terminate |
| 8 | No longer works/lives here → Thank and Terminate |
| 9 | Never heard of respondent → Thank and Terminate (try Directory Assistance) |

S1. _____ is a very important part of a study on smoke free policies that we are conducting for the American Lung Association in Alaska. Do you happen to know when he/she might be available?

☐ Date and time provided

Time:

Date:

Do you have a better telephone number for me to be able to reach _____?

Phone number:

Thank you. I will try to call him/her back on [Read the above time and date]

_____]

☐ Don't know → **Thank and Terminate**

☐ Refused → **Thank and Terminate**

S2a. Do you have the telephone number where I can reach?

_____ ? [ENTER PHONE NUMBER.]

INFORMED CONSENT

Read the consent text. Emphasize that participation is voluntary; they may decline to answer any question or withdraw at any time without penalty. Answer all questions before proceeding.

Your contact information was provided to us with the assistance of the American Lung Association in Alaska. They have identified your establishment as knowledgeable about perceptions and effects of smoke free policies.

This study is sponsored by American Lung Association in Alaska and its results will be used to learn about the perceptions of smoke free policies; their influence on businesses, and compliance issues.

The interview takes about 3 to 5 minutes to complete. Your participation is voluntary, and all your answers will be kept confidential. In our report your answers will be combined with those of other who are knowledgeable of smoke free policies so that no person's answers can be identified. If there is any question you don't want to answer, simply tell me and we can skip that question. You may stop the interview at any time. If you have any questions about your rights, I can give you the name and telephone number of the person to contact [Dr. Diane Toebe, 786-1099]. If you have questions about this study, I can give you the name and number of the person who can answer questions about this study [Rosylind Frazier, 786-5432]. Do you have any questions?

[IF YES: ANSWER THEIR QUESTIONS RECORD THEIR QUESTION AND YOUR RESPONSE AND CONTINUE TO THE INTERVIEW. IF YOU ARE UNABLE TO ANSWER THE QUESTIONS, PLEASE GET A SUPERVISOR FOR ASSISTANCE.]

[IF KEY INFORMANT DOESN'T HAVE TIME FOR INTERVIEW RIGHT NOW, OR WOULD LIKE YOU TO CALL BACK LATER:]

I could conduct the interview at another time convenient for you. When would be a good time to call back?

[RECORD TIME AND DATE. GET A SPECIFIC TIME AND DAY; SUGGEST A TIME AND DAY IF RESPONDENT "DOESN'T KNOW"]

Time:

Date:

Is this the best number to reach you, or is there a better telephone number for me to reach you then?
Telephone number:

Thank you. I will try to call back at [READ THE ABOVE TIME AND DATE].

[BEGIN INTERVIEW]

1. Is this a full service restaurant or bar in Anchorage? [full service restaurant, bar, other – specify]

- ☐ Full service restaurant
- ☐ Bar
- ☐ Other (Specify) _____

[IF OTHER, TERMINATE THE CALL]

Thank and Terminate [delete contact information]

In this interview, we will only be interviewing full service restaurants and bars in Anchorage. So it looks like we won't need any further information from you at this time, but thank you for your cooperation.

2. Including yourself, how many employees work in your establishment? _____

[If "0" employees terminate the call otherwise continue]

Thank and Terminate [delete contact information]

In this interview, we will only be interviewing establishments with employees. So, it looks like we won't need any further information from you at this time, but thank you for your cooperation.

3. I'm going to read a list, and if you could just tell me yes or no, which of these are benefits from the passage of the Anchorage Clean Indoor Air /Smoke Free Anchorage Ordinances?

Benefit	Yes	No
Employee health	Yes	No
Increased customer satisfaction	Yes	No
Increased employee satisfaction	Yes	No
More new customers	Yes	No
Lower maintenance costs	Yes	No
Cleaner environment	Yes	No
Less employee sick days/employees missing less work	Yes	No

3a. Any other benefits? _____

4. How has **customer** feedback about the Anchorage Clean Indoor Air ordinances been? Our choices are very positive, somewhat positive, somewhat negative, or very negative.

- ☐ Very positive
- ☐ Somewhat positive
- ☐ Somewhat negative
- ☐ Very negative

5. How has **employee** feedback about the Anchorage Clean Indoor Air ordinances been? Our choices are very positive, somewhat positive, somewhat negative, or very negative.

- ☐ Very positive
- ☐ Somewhat positive
- ☐ Somewhat negative
- ☐ Very negative

6. How would you describe customer compliance with the Clean Indoor Air ordinance? Our choices are excellent, good, fair, or poor..

- ☐ Excellent
- ☐ Good
- ☐ Fair
- ☐ Poor

7. How would you describe employee compliance with the Clean Indoor Air ordinance? Our choices are excellent, good, fair, or poor..

- ☐ Excellent
- ☐ Good
- ☐ Fair
- ☐ Poor

8. What distance do **you** require smoking individuals to stay away from your entrances?

- ☐ 5 ft.
- ☐ 10 ft.
- ☐ 20 ft.
- ☐ 50 ft.
- ☐ Other _____

8a. Do you feel that the mandated distance for your establishment of [INSERT DISTANCE] is appropriate?

- ☐ Yes
- ☐ No

8b. What mandated distance do you feel would be most appropriate for [insert type of establishment]?

8b1. Please tell us more...

9. Would you be willing to participate in follow-up conversations about the Clean Indoor Air Ordinances?

No [IF NO GO TO END OF SURVEY]

Yes [IF YES GO TO 10]

10a. Let me confirm that your name is:

10b. What is your job title? (READ CATEGORY IF NECESSARY. ANSWER CAN BE MULTIPLE)

- ☐ Owner/proprietor/General Manager
- ☐ Bar manager/Assistant manager/Restaurant manager
- ☐ Other (specify)

10c. What is the best telephone number to reach you at?

10d. What is your email address?

These are all the questions I have. Thank you very much for your cooperation.

Table 7. Number of Smoking-Related Complaints Received by DHHS Environmental Health program, 2007 to 2013

Year	Inside Public Bar or Restaurant	Inside Private Bar	Outdoor Smoke into Bar or Restaurant	Total Smoking-Related Complaints
2007	5	7	7	64
2008	7	2	3	47
2009	6	3	2	36
2010	1	1	2	13
2011	1		1	11
2012	3	3	2	15
2013	1		2	11
Total	24	16	19	183

Table 7, figures ES 1 and 1 were generated from data provided by key informants from the MOA DHHS complaints data base. While the number of complaints is comprehensive, we are unable to apportion a small number of them to specific subcategories. Therefore, the number of complaints in the subcategories of inside public bar or restaurant, inside private bar, and outdoor smoke into bar or restaurant are best thought of as estimates.