

CBC NEWS

Montreal bar owners to challenge Quebec smoking ban

Last Updated Wed, 14 Sep 2005 10:12:44 EDT

CBC News

Two bar owners in Montreal are launching a legal battle against Quebec's anti-smoking legislation. They say the law will cause job losses because more patrons will stay home.

Peter Sergakis said Quebec's anti-tobacco legislation will put him and other bar owners out of business.

"I'm working all my life to build my businesses. In Ottawa, 210 bars - 60 of them closed - 25 per cent reductions in sales. We don't want to lose our businesses and we don't want to put people out of work."

Sergakis and another Montreal bar owner are heading to Quebec Superior Court to fight the law.

Quebec has passed legislation that will outlaw smoking in all public spaces next June.

The bar owners have hired constitutional lawyer Julius Grey who will argue that prohibiting smoking in bars and restaurants infringes on smokers constitutional rights.

"The problem is that tobacco is not outlawed," Grey said. "The problem is how far can the government regulate the everyday choices of people is there a limit." "And so what we are going to ask the court is to determine the very delicate limits of intervention with respect to lawful behaviour."

Grey said bar patrons are adults and they should be able to have a choice to smoke in a well-ventilated area.

Effective May 31, 2006, Quebec's Bill 112 will prohibit smoking:

In pubs, restaurants, taverns, bars and bingo halls

In enclosed spaces where the activities held are reserved for persons invited or authorized to attend by the host

Under big tops

In shelters and other similar facilities that are open to the public

On school grounds

Within nine meters from any exterior door leading to a facility of a

health and social services institution, to a building of a general and vocational college or a university or to a facility of a childcare centre

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