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TO:	CHAIR AND MEMBERS COMMUNITY SERVICES COMMITTEE AUGUST 21, 2012
FROM:	WILLIAM C. COXHEAD MANAGING DIRECTOR OF PARKS & RECREATION
SUBJECT:	SMOKING RESTRICTIONS IN MUNICIPAL OUTDOOR SPACES

RECOMMENDATION

That, on the recommendation of the Managing Director of Parks & Recreation, this report **BE FORWARDED** to a public participation meeting on October 1, 2012 before the Community Services Committee to receive comments related to the following options, with respect to smoking restrictions in municipal outdoor spaces:

Municipal Parks

- Option 1 – Maintain status quo (no by-law to restrict smoking in parks)
- Option 2 – Post signs suggesting people do not smoke in parks (no by-law)
- Option 3 – Prohibit smoking within 9 meters of playgrounds and recreation amenities
- Option 4 – Prohibit smoking within 30 meters of playgrounds and recreation amenities
- Option 5 – Prohibit smoking in all parks except in designated smoking areas
- Option 6 – Prohibit smoking in all parks

Entranceways to Municipal Buildings

- Option 1 – Maintain status quo (no by-law)
- Option 2 - Prohibit smoking within 9 meters (30 feet) of an entrance to a municipally-owned building

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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February 13, 2012 Communication dated January 9, 2012 from Dr. G. Pollett, Medical Officer of Health, Middlesex-London Health Unit

BACKGROUND

On February 13, 2012 the Community Services Committee received a report from Dr. G. Pollett, Chief Medical Officer of Health from the Middlesex London Health Unit (MLHU) building the case for smoke-free public outdoor spaces in London. Emerging evidence and results from public opinion surveys (both in London and across the Province) demonstrates that the current Provincial standard of second-hand smoke protection is not high enough and that municipal by-laws that extend protection beyond that covered by the *Smoke Free Ontario Act* (SFOA) are required. The MLHU identified that reduction in exposure to second hand smoke is good for



everyone, especially children, would provide positive role modelling for youth and help keep our public spaces cleaner (see Appendix A for a summary of impacts on children and youth). In response to this report Council resolved that:

The Civic Administration BE DIRECTED to report back to the Community Services Committee with respect to current policies and additional steps that may be taken by the City to restrict smoking in public outdoor areas such as: entrance ways to public buildings and work places, playgrounds, playing fields, swimming pools, splash pads and public gardens; it being noted that the CSC reviewed and received a communication dated January 9, 2012 from Dr. G. Pollett, Medical Office of Health, Middlesex-London Health Unit, with respect to this matter.

This report provides a review of possible options for outdoor smoking restrictions in municipal outdoor areas (parks and entrances to municipally-owned buildings) for Committee and Council to consider.

Current Smoking Regulations

Ontario has a history of progressive legislation providing protection from second-hand smoke. Numerous municipalities, including the City of London (2003), enacted by-laws to ensure that smoking is restricted indoors at public places and workplaces. The [Smoke-Free Ontario Act \(SFOA\)](#) came into effect May 31, 2006, prohibiting smoking in enclosed workplaces and public places. The law provided greater protection from second-hand smoke and includes a ban on smoking within 9 metres of entrances and exits at healthcare and long-term care facilities; common areas of multi-unit dwellings; restaurant and bar patios that are partially covered by a roof; inside transit shelters; and on school property. The Provincial legislation helped create a more level playing field for proprietors across Ontario, and a standard level of protection from second-hand smoke exposure.

The City of London's Smoke-Free Public Places By-Law (PH-10) prohibits smoking indoors at public places and the Smoke-Free Workplaces By-Law (PH-11) prohibits smoking in workplaces within the City. The MLHU carries out inspections and are responsible for enforcement of these by-laws and the Smoke Free Ontarians Act (SFOA).

In addition to the restrictions legislated by Provincial law and our Municipal by-laws, the City of London has implemented policies to restrict smoking at outdoor pools, Storybook Gardens and Labatt Park. There are currently no further smoking restrictions on municipally owned outdoor public spaces.

Municipal Scan

Over 50 Ontario municipalities have enacted by-laws regulating smoking in outdoor public spaces. These by-laws range from outright bans on all municipally owned property to various setbacks (9 to 30 meters) from playgrounds and/or recreational amenities (spray pads, sports fields, courts, bleachers). A full list of Ontario municipalities with smoking restrictions in parks is found in Appendix B.

Over 30 municipalities in Ontario have enacted by-laws prohibiting smoking or the holding of lighted tobacco within a 9 meter radius of any entrance to a municipal building.

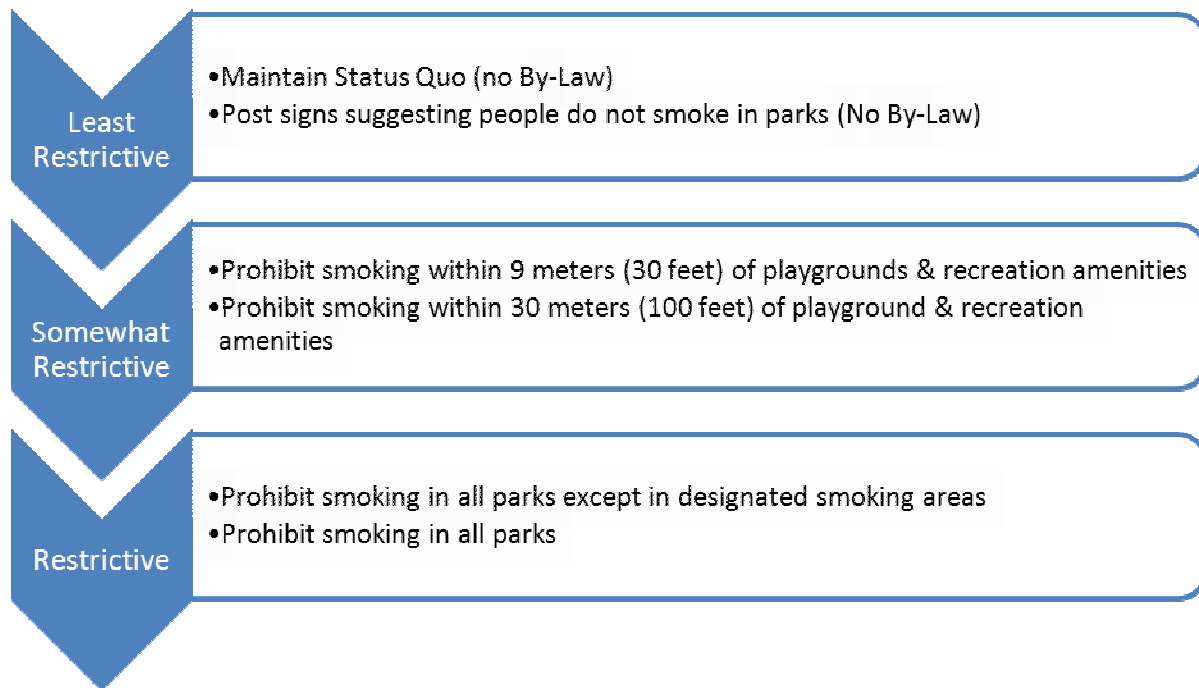
In communities that have imposed smoking restrictions there have been no negative impacts reported on the use of facilities and a vast majority think the by-laws are good for their resident's health.

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OPTIONS FOR CONSIDERATION

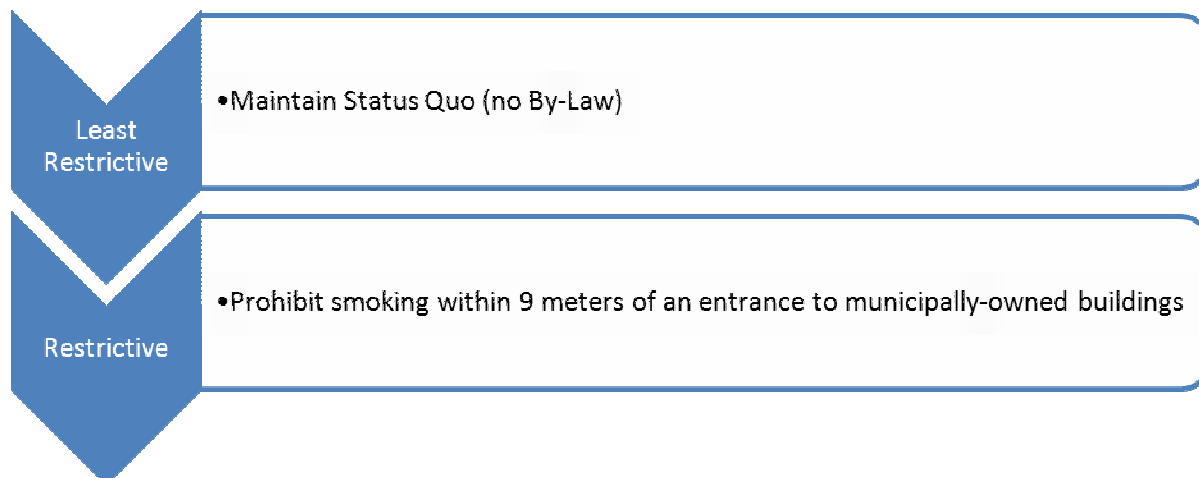
Options for Municipal Parks

The table in Appendix C outlines in detail the pros, cons and financial implications of six (6) potential options for smoking restrictions in parks. These options range from maintaining the status quo to establishing setbacks from park amenities to an outright ban in all parks. Briefly, they are:



Options for Entraceways to Municipally-Owned Buildings

Enacting a by-law to prohibit smoking within 9 meters (30 feet) of an entrance to a municipally-owned building will provide protection to children and youth from the harmful effects of second hand smoke as they enter community centres, arenas, City Hall and other municipal buildings across the city. Such restrictions will provide additional protection for everyone entering these buildings and aligns with current levels of public support. These restrictions are also consistent with Provincial legislation that restricts smoking within 9 meters of entrances to hospitals, longterm care homes and other health care facilities. The estimated cost of signage at entrances to the 200 municipal buildings is approximately \$20,000.



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Enforcement, Education and Awareness

If Council chooses to proceed with developing a by-law to restrict smoking in outdoor spaces a comprehensive strategy involving three components: education and community partner engagement; signage; and appropriate enforcement will be required (see Appendix E for further details on MLHU’s potential campaign and enforcement). The MLHU currently enforces and promotes the *Smoke-Free Ontario Act* and the City of London Smoke-Free Public Places and Workplaces By-laws. If Council chooses to enact a new by-law, for those areas that require additional enforcement support due to congregation of children and youth and/or ongoing non-compliance, enforcement support would be provided by the MLHU’s Tobacco Enforcement Officers.

The MLHU has also agreed to continue to promote awareness of rules and will lead any media campaigns to raise awareness of potential new rules in parks and at municipal buildings.

Summary

Outdoor recreation facilities and parks are established to promote healthy activities and restricting smoking in these locations fits with this idea. Introducing smoke-free parks is a move towards reducing the burden of tobacco-related illness and mortality by removing smoking role-models from children and will have a lasting impact on the health of all London residents. Given Council’s interest in limiting exposure of children and youth to tobacco use (second hand smoke, role models), option six (6) (Prohibiting smoking in all parks) satisfies this objective to the greatest degree by completely removing smoking from the public parks in which they play. This option is the easiest to understand, easiest to enforce and the most cost effective to implement. Enacting a by-law prohibiting smoking at entrances to municipally-owned buildings will further protect residents when they visit City facilities.

It is expected that such clear and concise by-laws would become self enforcing over time.

NEXT STEPS

If Council chooses, Civic Administration will schedule a public participation meeting on October 1, 2012 to gather input on all or some of the proposed options presented in this report.

Civic Administration, at the direction of Council, will then draft a by-law based on Council’s final preference. If necessary, other relevant agreements, policies and procedures or by-laws (Facility Rental Agreements, Special Events Policies and Procedures, Parks By-Law etc.) will be amended as appropriate.

Any new or amended by-laws could be phased-in by May 1, 2013.

MLHU recommends Council also consider enhancing the ability for privately-owned workplaces, recreational properties, hospitals and post-secondary institutions to limit smoking on their properties. For a cost, the City of London may be able to provide the opportunity to these workplaces to be registered and named within a schedule of a by-law so that they could be provided with enforcement support to expand the level of protection provided. Further details regarding consistency with the Municipal Act, fees and enforcement obligations would need be investigated by Civic Administration. Appendix F outlines these opt-in opportunities in greater detail.

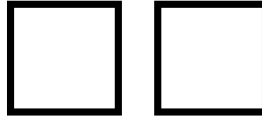
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Acknowledgements

This report was prepared with input by the Middlesex London Health Unit (Linda Stobo, Wally Adams), Orest Katolyk, Andrew Macpherson, Scott Stafford and Lynn Marshall.

PREPARED BY:	RECOMMENDED BY:
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- Mr. Wally Adams, Director, Environmental Health & Chronic Disease & Injury Prevention
- Ms. Linda Stobo, Manager, Chronic Disease Prevention & Tobacco Control
- George Kotsifas, Managing Director, Managing Director, Development & Compliance Services and Chief Building Official
- Orest Katolyk, Manager, By-law Enforcement
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- Scott Stafford, Division Manager, Parks & Community Sports
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**APPENDIX A
Middlesex London Health Unit
Summary of Public Support for Improved Smoking Restrictions &
Impacts of Exposure to Smoking/Second-hand Smoke on Children and Youth**

Public support is an important factor to consider when implementing smoking restrictions, and when looking at the City of London, public support for banning smoking in many outdoor public spaces is very high: doorways to public places (90%) and workplaces (89%); playgrounds (87%); and sports fields (81%).

Second-hand Smoke as a Health Hazard

Second hand smoke, also referred to as “environmental tobacco smoke or passive smoking”, is a mix of smoke that is exhaled and smoke that is emitted when a cigarette, cigar, cigarillo or water pipe is burned. Recent research indicates that outdoor levels of tobacco smoke within one to two meters of a lit cigarette can be as high as indoors. If there is no wind, the tobacco smoke will rise and fall, and then saturate the local area with second-hand smoke; if there is a breeze tobacco smoke will spread and will expose non-smokers downwind. Depending upon weather conditions and air flow, tobacco smoke can be detected at distances greater than 25 – 30 feet away. The closer an individual is to tobacco smoke, and the greater the number of lit cigarettes (like the congestion of smokers at an entrance), the greater the amount of tobacco smoke, and consequently, the greater the harm. For example, if the number of lit cigarettes increases, the concentration of tobacco smoke can increase 2.5-3 times and be detected 9m away. There is no safe level of exposure to second-hand smoke. For every eight smokers who die from smoking, one non-smoker will die from second-hand smoke.

ADVERSE LONG-TERM HEALTH EFFECTS OF SECOND-HAND SMOKE (SHS) EXPOSURE ON CHILDREN AND PREGNANT WOMEN

SHS Exposure & Children	SHS Exposure & Pregnant Women
<ul style="list-style-type: none"> • Exacerbations of asthma • Decreased lung function • Lower respiratory illness • Middle ear infections • Sudden Infant Death Syndrome (SIDS) • Low birth weight • Adverse impact on cognition, behaviour and brain development 	<ul style="list-style-type: none"> • Spontaneous abortion/miscarriage • Premature birth • Congenital anomalies and smaller head circumference

Some of the adverse health effects are more severe for infants and young children because their bodies, lungs and brains are still in development and they have higher respiratory rates than adults. In addition, children are less likely to leave a smoke filled place outdoors or even complain about the level of smoke, given the difference in power between an adult and a child, putting children at risk for greater exposure. There are places that are nearly impossible to avoid exposure to second-hand smoke, including entrance-ways, and there is often repeated exposure if that place is visited frequently, like a doorway to a workplace, a library or an arena. In 2009, it was estimated the 54% of Ontarians were exposed to SHS at an entrance in the last month.

Exposure to Tobacco Use and Role Modelling to Children and Youth

Children and youth model their own behaviour after the people they look up to – athlete role models, coaches, parents, friends’ parents and siblings and fans in the stands; policies that restrict where people smoke sends a consistent message to young people that tobacco use is a harmful addiction and not part of a healthy, active lifestyle. The less tobacco use they see, the less likely children and youth are to smoke. Tobacco waste is also a health concern; discarded cigarette butts in parks and playgrounds are picked up and eaten by small children and pets. It only takes two to three cigarette butts to harm or kill a small animal.

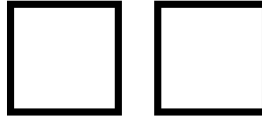
Impact of Smoking Bans on Helping Tobacco Users to Quit

Just over 22% of Middlesex-London adults aged 19 and over smoke, and most smokers want to quit, with 15% committed to quitting in the next 30 days and 53% considering quitting sometime

Agenda Item # Page #

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in the future (2009/2010 CCHS). Stronger restrictions on smoking in outdoor public places support those who are currently addicted to tobacco trying to quit.



**APPENDIX B
Municipal Scan of Outdoor Smoking Restrictions**

A review of a database (www.nsra-adnf.ca/cms/smoke-free-laws-database.html) of smoke-free laws across Canada, revealed that over 50 Ontario municipalities have enacted bylaws regulating smoking in outdoor public spaces. Dozens of other municipalities are currently engaged in the development/community consultation phase of smoke-free outdoor public spaces bylaws.

Almost all of these Ontario municipalities have enacted by-laws regulating smoking within 9 meters of entrances to municipally owned buildings. Many of them also have bylaws regulating smoking in parks. In summary, 22 municipalities recognize a 9 or 10 meter zone around playgrounds and/or sports fields, 6 prohibit smoking within 15 meters and a further 6 municipalities prohibit smoking within 25 meters (or more) from. Thirteen municipalities enforce an outright ban in parks, three of which have designated smoking areas in larger parks.

The City of Ottawa has just moved to an outright ban of smoking in parks after a setback ban of 9 meter proved to be unenforceable and confusing.

Three municipalities, Cobalt, North Bay and Woodstock have opt in clauses in the by-law whereby workplaces and/or apartment building owners may request the municipalities to recognize their entranceway be designated as smoke-free and enforce the by-law.

Smoking prohibited within 1-10 meters of play or recreation amenity in parks	
Chatham Kent	Smoking prohibited within 9 m of entrances to municipal buildings and playground equipment excluding sports fields.
Cobourg	Smoking prohibited within 9 m of the edge of the playing surfaces of all children's playground areas in parks.
Cornwall	Smoking prohibited within 9 m of City-owned facilities including playground structures, pools, splash pads, fixed seating or bleachers, tennis courts, basketball courts, etc.
Georgina	Smoking or use of any tobacco product is prohibited within 10 metres of any Town owned and/or operated playground, splash pad, skateboard park and sports field. Designated smoking areas are allowed.
Huntsville	Smoking prohibited within 9 m from any entrance, exit, building opening of any Town facility including but not limited to parkland, playground, sports field, spectator seating area, ice surface whether or not a "No Smoking" sign is posted; on any walkway or pathway set out on or through Town-owned property
Ingersoll	Smoking prohibited on any Town owned sports field, on any walkway set out on or through Town owned and occupied property (but not sidewalks), and within 9 m of any Town facility including but not limited to splash pads, playground equipment, spectator seating areas, ball diamonds, soccer fields, basketball courts, tennis courts.
Midland	Smoking prohibited within 10 m of any Town owned playground or sports field whether or not a "No Smoking" sign is posted.
Napanee	Smoking prohibited "within 6 m of the entrance, exits or boundary of any Municipal Building "Municipal Building" is defined as any building, hall or facility, or part thereof, owned or operated by The Corporation including any sports facility, ball diamond, playground, soccer field or aquatic facility including spectator seating.
New Tecumseth	Smoking prohibited within 10 m of any playground area established and fitted with equipment (slides, swings, etc.). Also prohibited in "the seated observation areas of outdoor sports fields".
Orillia	Smoking prohibited within 10 m of each of: a playground area, sport activity area (including but not limited to ball diamonds, soccer fields, basketball courts, tennis courts, etc.) or beach area.
Parry Sound	Smoking is prohibited within 9 m of any municipally owned or leased park, play-ground, recreational field and beach.
Peterborough	Smoking prohibited within 9 m of any public playground, beach, wading pool, splash pad, sport field or skateboard park. In any City park except in designated areas.
Port Hope	Smoking prohibited within 10 m of the boundary of parks for the purpose of recreational use and shall include any playground equipment, sports field and playground area including but not limited to soccer pitches, baseball diamonds, tennis courts, player's benches, spectators areas, beaches, splash pads, dog parks, skate parks and any children's playground equipment, including but not limited to swing sets and climbing apparatus, including the surrounding playground equipment area owned or leased by



	the Municipality.
Smith-Ennismore-Lakefield	Smoking prohibited within 9 m of any outdoor bleachers and players' benches at 6 named locations, within 9 m surrounding any playground equipment at 5 named locations, and within 9 m surrounding any gazebo, beach or shade shelter at 6 named locations.
Smiths Falls	Smoking prohibited on municipal property, including parks. No person shall smoke within 9 m of any sports facility, playground, splash pad, wading pool or sports field (including spectator areas).
Thunder Bay	Smoking is prohibited within 10 m of any playground equipment located on land owned by the Corporation, within 10 m from the edge of a beach.
Timmins	Smoking prohibited within 10 m of any playground equipment within parks and playgrounds owned by the City, and within 10 m of any municipal park recreational field.
Toronto	Smoking prohibited in parks, but only in the following specific areas: within 9 m of playground equipment and surfaces, wading pools and splash pads, and within zoos and farms.
Uxbridge	Smoking prohibited within 10 m of the boundary of a Municipal playground.
Vaughan	Smoking prohibited on city property except in designated areas. Eight out of eleven of these designated areas are community centre/pool parking lots and the others are marked by signage. Smoking prohibited within 9 m of any City-owned wading pool, splash pad, skating rink, skate park, sportsfield, playground, tennis court or basketball court.
Wasaga Beach	Smoking prohibited within 9 m of playgrounds and playing fields.
Smoking prohibited within 11-30 meters of play or recreation amenity in parks	
Adjala-Tosorontio	Smoking prohibited within 15 m of a playground area and playing field, including but not limited to soccer fields and baseball diamonds.
Blind River	Smoking prohibited within 15 m of playground equipment and recreation fields.
Collingwood	Smoking prohibited within 25 m of any playground equipment, the definition of which includes municipally-owned swimming pools. The definition of playground equipment does not include facilities for baseball, hockey and walking and biking trails.
Elliot Lake	Smoking prohibited within 15 m of playground equipment and recreation fields.
Prince Edward County	All tobacco use prohibited within 25 m of playground structures, sport playing fields, park facilities, tennis courts, outdoor rinks, youth park, skate parks, and within 9 m of recreation facilities owned, operated or leased by the County.
Quinte West	Smoking prohibited within 25 m of playground equipment or playing fields within a playground park owned by the Corporation.
Sault Ste. Marie	Smoking prohibited within 15 m of any playground area, recreation field and while under or within 15 m of the Roberta Bondar Park Tent Pavilion. Smoking is allowed in parking lots adjacent to or near recreation fields.
South Bruce	Smoking prohibited within 30 m of any playground equipment located within a municipal park, within 15 m of any recreational field (including but not limited to baseball diamonds, soccer pitches, tennis courts, horse shoe pits and lawn bowling fields) located within a municipal public park.
St. Thomas	Smoking prohibited within 30 m of any playground equipment, splash pad, swimming pool, tennis court, skateboard facility or player's benches.
Tweed	Smoking is prohibited within 25 m of municipal playgrounds and playing fields.
White River	Smoking is prohibited within 15 m of playground equipment within parks and within 15m of sports and recreational fields.
Woodstock	Smoking prohibited within 30 m of any playground equipment located within a municipal public park (includes swimming pools), within 15 m of any recreational field within a municipal public park (includes baseball diamonds, soccer pitches, player or spectator benches and lawn bowling fields, but not golf courses and during special community events including but not limited to parades, outdoor concerts, sports tournaments, sidewalk sales, Canada Day celebrations and Cowapalooza. Of special note is that private businesses can apply to be added to the schedule to make their doorways smoke-free as well, enforced by the municipality.
Smoking prohibited in all parks – some have designated areas	
Arnprior	Smoking prohibited on any public land which is identified as a public playground or public beach within the limits of the Town.
Barrie	Smoking prohibited outdoors on any property owned and occupied by the City including but not limited to property upon which is located a City facility, parkland, playground, sports field, spectator seating area, ice surface, etc. whether or not a "No Smoking" sign is posted.
Belleville	Smoking prohibited in any park or part thereof designated by signs or markers.
Bonfield	Smoking prohibited on the land surrounding the Township office and on municipal




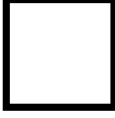
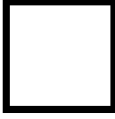
	parklands, except in designated smoking areas.
Clearview Township	Smoking prohibited on or within 9 m of a playground area or playing field including but not limited to soccer fields, baseball diamonds, football fields, etc., and on municipal property including parks during the period of time when people are assembled and authorized entertainment is provided.
Cobalt	Smoking is prohibited on all municipal property (including parks, beaches, playgrounds and recreational fields) unless a "Designated Smoking Area" is granted by the municipality. A proprietor of a workplace may choose to have the workplace added to the by-law. If a workplace is added to the by-law, smoking is prohibited within a 9 m radius of those entrances and exits.
Hamilton	Smoking prohibited in parks, including playgrounds, recreation centre property, arena and stadium property, sports or playing fields, skateboard parks, beaches, outdoor pools and leash-free dog parks.
Essa, Township of	Smoking is prohibited on municipally owned property. This includes all municipal parks, facilities, spectator seating areas, ice surfaces, outdoor pads, trails, soccer fields, and baseball diamonds. Smoking also prohibited on walkways or paths (except sidewalks) on Township owned and occupied property.
Niagara Falls	Smoking prohibited on all municipal property, including in bus shelters
North Bay	Smoking prohibited on municipal property. Workplace and apartment building owners may request of the City that their entranceway be designated as smoke-free.
Ottawa	Smoking prohibited on all municipal properties, including beaches, playgrounds, parks and sports fields, and restaurants and bar patios. The changes came into effect April 2 nd , 2012 after a setback ban of 9 m proved to be unenforceable
Orangeville	Smoking prohibited in parks, trailways, recreational fields, transit environments, municipal parking lots, and Town facilities, including entranceways to libraries, recreation centres, Town Hall, Police Services, fire hall, and the train station.
Welland	Smoking prohibited in parks except in designated areas.



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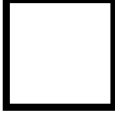
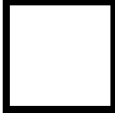
APPENDIX C - Options to Consider for Prohibiting Smoking in Municipal Parks



Recreation/sport amenities includes: playground equipment, sports fields (soccer fields, football fields, ball diamonds, bleachers, spray pads, wading pools, outdoor pools, skateboard parks, tennis courts, basketball courts etc.

	OPTIONS	PROS	CONS	FINANCIAL IMPACT
Least Restrictive	<p>1. Status Quo (no by-law)</p>		<p>Exposure</p> <ul style="list-style-type: none"> Will not reduce exposure of children and youth to second hand smoke in parks Continue to have negative role modelling 	<p>Signage - No cost Media/Education Campaign - No cost Enforcement - No cost</p>
Slightly Restrictive	<p>2. Post signage suggesting people not smoke in parks (no by-law)</p> 	<p>Exposure</p> <ul style="list-style-type: none"> May move some exposure away from areas where signs are posted <p>Enforcement</p> <ul style="list-style-type: none"> May encourage more peer enforcement <p>Other benefits</p> <ul style="list-style-type: none"> Signage could be temporary (as shown in photo to left, or permanent) 	<p>Exposure</p> <ul style="list-style-type: none"> "Suggestion" not to smoke may not remove exposure to second hand smoke out of danger zone for children and youth <p>Enforcement</p> <ul style="list-style-type: none"> Not enforceable (no by-law) Vague messaging may imply there is a ban No direction about where you can smoke 	<p>Signage</p> <ul style="list-style-type: none"> Cost of permanent signs in all parks approximately \$20,000 <p>Media/Education Campaign</p> <ul style="list-style-type: none"> May or may not be paid media campaign Staff time to notify organizations using parks <p>Enforcement cost = \$0</p>



<p>Somewhat Restrictive</p>	<p>3. Prohibit smoking within 9 meters (30 feet) of playground equipment and recreational/ sport amenities in City parks</p> 	<p>Exposure</p> <ul style="list-style-type: none"> Moves exposure to second hand smoke away from immediate areas of play (see Appendix D for maps showing setback in sample parks) Provides a clear rule to enforce Consistent with proposed entranceway restriction Peer enforcement goes up where there is a prescriptive law 	<p>Exposure</p> <ul style="list-style-type: none"> Removes exposure only a minimum distance from activity Does not address role modelling issue as children/youth will still see adults smoking Does not limit exposure in areas of parks away from recreation amenities (ex. Parking lots, pathways to playgrounds etc.) Enforcement <ul style="list-style-type: none"> Difficult to enforce (Ottawa moved from a setback of 9 m to an outright ban because of onerous nature of messaging and enforcement) Other impacts <ul style="list-style-type: none"> Safety concerns – adults attempting to smoke a designated distance from child/setting can no longer actively supervise 	<p>Signage</p> <ul style="list-style-type: none"> Cost of permanent signs in all parks approximately \$20,000 Media/Education Campaign Paid media campaign partially funded by MLHU Staff time to notify organizations using parks Enforcement By MLHU
<p>More restrictive</p>	<p>4. Prohibit smoking within 30 meters (100 feet) of playground equipment and recreational/ sport amenities in City parks</p> 	<p>Exposure</p> <ul style="list-style-type: none"> Moves exposure to second hand smoke well away from activity areas Enforcement <ul style="list-style-type: none"> Peer enforcement goes up where there is a prescriptive law 	<p>Exposure</p> <ul style="list-style-type: none"> Does not limit exposure in areas of parks away from the identified recreation amenities (ex. Parking lots, pathways to playgrounds etc.) where children will be present upon arrival and departure from park Does not address role modelling issue as children/youth will still see adults smoking May increase smoking next to private properties that back onto some parks (see Appendix D) Enforcement <ul style="list-style-type: none"> Very difficult to enforce as judging of longer distances is subjective – difficult to visualize 30 meters (according to other Municipalities) Could create confusion as many smaller parks would have a complete ban (ex. See Appendix D: Capulet Park, Covent Market Plaza) Confusion may exist in rules of ban ex. Vacant soccer fields Other impacts <ul style="list-style-type: none"> Safety concerns – adults attempting to smoke a designated distance from child/setting can no longer actively supervise 	<p>Signage</p> <ul style="list-style-type: none"> Cost of permanent signs in all parks approximately \$20,000 Media/Education Campaign Paid media campaign partially funded by MLHU Staff time to notify organizations using parks Enforcement By MLHU =



<p>Restrictive</p>	<p>5. Prohibit smoking in all parks except in designated smoking areas</p> 	<p>Exposure</p> <ul style="list-style-type: none"> Ensures exposure to second hand smoke is outside of danger zone for children and youth Directs smoking to a special area that would reduce exposure to children and youth in parks and away from any adjacent private properties <p>Enforcement</p> <ul style="list-style-type: none"> Easy to enforce Peer enforcement goes up where there is a prescriptive law 	<p>Exposure</p> <ul style="list-style-type: none"> Does not address role modelling issue as children/youth will still see adults smoking <p>Enforcement</p> <ul style="list-style-type: none"> May be difficult for smokers to find Other impacts Onerous to designate smoking areas in all parks across city Safety concerns – adults attempting to smoke in a designated area away from child/setting can no longer actively supervise 	<p>Signage</p> <ul style="list-style-type: none"> Cost of signage showing no smoking areas and designated smoking areas approximately \$50,000 <p>Media/Education Campaign</p> <ul style="list-style-type: none"> Paid media campaign partially funded by MLHU Staff time to notify organizations using parks <p>Enforcement</p> <ul style="list-style-type: none"> By MLHU <p>Additional Costs</p> <ul style="list-style-type: none"> Maintenance of designated smoking areas Cost of smoking receptacles etc.
<p>Most Restrictive</p>	<p>6. Prohibit smoking in all parks</p> 	<p>Exposure</p> <ul style="list-style-type: none"> Provides highest level of protection for children and youth from second hand smoke Provides an additional level of protection for adults Addresses role modelling issue as children/youth will not longer see adults smoking in parks <p>Enforcement</p> <ul style="list-style-type: none"> Easiest option to enforce (according to other municipalities) Complete ban is easier to understand and obey – clarity of communication Peer enforcement goes up where there is a prescriptive law that is easy to understand <p>Other benefits</p> <ul style="list-style-type: none"> Less litter (cigarette butts) to clean up throughout parks 	<p>Signage</p> <ul style="list-style-type: none"> Cost of no smoking signs in all parks approximately \$20,000 <p>OR</p> <ul style="list-style-type: none"> Signs at entrance to municipality (similar to parking by-law notification) <p>Media/Education Campaign</p> <ul style="list-style-type: none"> Paid media campaign partially funded by MLHU Staff time to notify organizations using parks <p>Enforcement</p> <ul style="list-style-type: none"> By MLHU <p>Additional Savings</p> <ul style="list-style-type: none"> May lead to less cleanup of cigarette litter in parks overall 	<p>Signage</p> <ul style="list-style-type: none"> Cost of signage showing no smoking areas and designated smoking areas approximately \$50,000 <p>Media/Education Campaign</p> <ul style="list-style-type: none"> Paid media campaign partially funded by MLHU Staff time to notify organizations using parks <p>Enforcement</p> <ul style="list-style-type: none"> By MLHU <p>Additional Savings</p> <ul style="list-style-type: none"> May lead to less cleanup of cigarette litter in parks overall

Exceptions to these options would include all Golf Courses. Special Events where the audience is intended to be mainly adults will designate smoking areas as part of their application (similar to applications for designated smoking areas in outdoor beer gardens).

Agenda Item # Page #

Note: Where the 9 or 30 meter buffer extends onto a highway the By-Law will not apply.



APPENDIX D Examples of Restricted Smoking Setbacks in Selected Parks

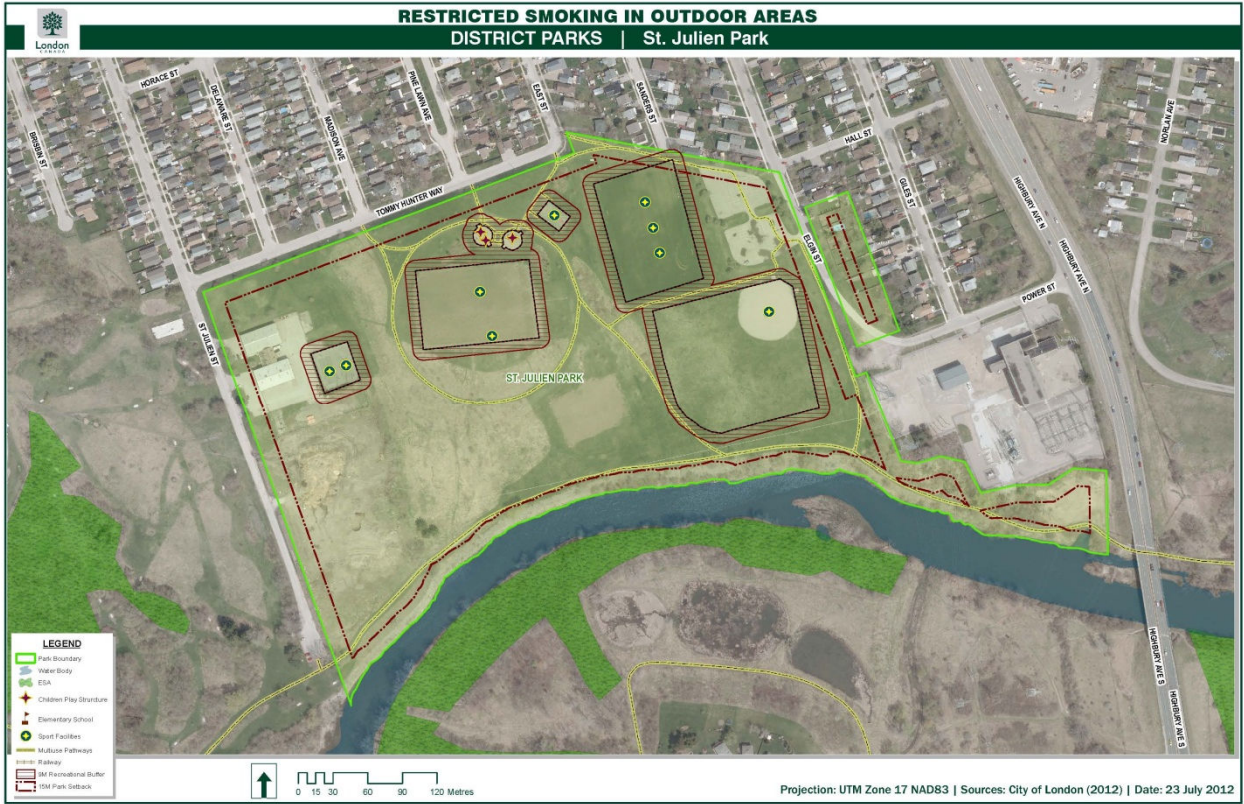
Thirty (30) meter (100 feet) setbacks from playgrounds & recreational amenities in select parks





Nine (9) meter (30 feet) setbacks from playgrounds & recreational amenities in select parks





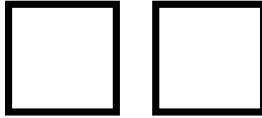


APPENDIX E
Education, Awareness and Enforcement
Middlesex- London Health Unit

The success of any smoking restriction bylaws will be measured by documenting a high compliance rate which relies on a foundation of strong public support. Public support is achieved and maintained through education, awareness, and enforcement. All are necessary to successfully implement and ensure compliance.

- i) Education and Community Partner Engagement – A well-planned, comprehensive social marketing and communication strategy will inform everyone about the bylaw and how to comply. This work would be done collaboratively with the Middlesex-London Health Unit. The strategy would include advertising (radio, transit ads, print, etc), a series of media releases and media interviews, presentations and packages to those organizations and community groups that use the facilities, information on the health unit and City of London websites, and the availability of printed resources/packages. To achieve compliance, the public must know about and understand the bylaw. Health Unit and Parks and Recreation staff will have a significant role promoting the bylaw as part of their work in the community.
- ii) Signage – Visible (strategically placed) and attractive signage is important for successful smoke-free policy. Signage helps to maximize education and compliance and therefore assist residents to self-enforce the outdoor smoke-free bylaws.
- iii) Enforcement – There will be a phased approach to enforcement, with an initial focus on education and promotion. Once the bylaw comes into effect, the first two months will be focused on education and compliance. Following the two months, the first enforcement priority will focus on responding to complaints which may initially be high and decrease over time. Warnings will then be given as part of our education plan and when needed, charges will be issued. It is expected the number of charges will be low because there is a high rate of support for this bylaw and if the bylaw is easy to understand, these types of bylaws are primarily self-enforcing.

The Middlesex-London Health Unit currently employs four (3.1 FTE) Tobacco Enforcement Officers who are trained and highly experienced in enforcing the *Smoke-Free Ontario Act* and the City of London Smoke-Free Public Places and Workplaces By-laws. For those areas that require additional enforcement support due to congregation of children and youth and/or ongoing non-compliance, the Tobacco Enforcement Officers, in partnership with London Police Services would be responsible for providing enforcement support.



**APPENDIX F
OPPORTUNITY TO OPT IN TO ENHANCE PROTECTION**

Information Provided by the Middlesex-London Health Unit (July 2012)

The Middlesex-London Health Unit receives a significant number of complaints and requests for assistance from privately-owned workplaces regarding smoking. The owners/proprietors seek greater restrictions on smoking than what currently exists within the SFOA.

Smoking Prohibitions within Entrance-Ways of Privately-Owned Workplaces

The Middlesex-London Health Unit receives a significant number of complaints and requests for assistance from privately owned workplaces regarding smoking within a 9-meter radius of the entrance. Owners/proprietors have the option and authority to implement additional policies for the protection of their employees; however, it is the responsibility of the owner/proprietor to enforce these policies, which can be a challenge. Privately-owned workplaces would be provided with the opportunity to register with the City to be named within a schedule of the bylaw so that these workplaces would be provided with enforcement support to expand the level of protection provided. For example, the City of Woodstock enacted the Smoke-Free Workplaces and Public Places Bylaw in June 2008, which not only prohibits smoking within a 9 meter radius of municipally owned and operated buildings, but provided the opportunity for private workplaces to opt into the bylaw; this provision has been very successful.

Smoking Restrictions for Privately-Owned Recreational Properties

There are a variety of privately-owned recreational properties which may choose to register with the City to be named within a schedule of the bylaw so that these properties would be provided with enforcement support to expand the level of protection provided and be consistent with the tobacco-free messages they experience at city-owned and operated recreational facilities.

Smoking Restrictions for Hospital or Post-Secondary Educational Campuses

London Health Sciences Centre (South Street Hospital, University Hospital, Victoria Hospital and Children's Hospital, London Regional Cancer Program, CSTAR and Lawson Health Research Institute) and St. Joseph's Healthcare (St. Joseph's Hospital, Parkwood Hospital, Mount Hope Centre for Long Term Care, Regional Mental Health Care London) have implemented their own policies designating outdoor smoking areas. The Middlesex-London Health Unit regularly inspects hospital grounds to ensure no smoking within nine meters of entrance-ways (SFOA), and by request of hospital administration, supports hospital security by encouraging tobacco users to move to the designated areas. Tobacco Enforcement Officers are limited in the support they can provide hospital administration because they can only enforce the 9 meter prohibition, not hospital policy; therefore, hospital administration would be provided with the opportunity to register with the City to be named within a schedule of the bylaw (designated areas or smoke-free grounds) to be provided with greater enforcement support and to expand the level of protection provided. The City of Woodstock enacted the Smoke-Free Workplaces and Public Places Bylaw in June 2008, which provided the opportunity for Woodstock General Hospital to opt into the bylaw. A similar provision could be offered to post-secondary education campuses.

Three municipalities, Cobalt, North Bay and Woodstock have opt in clauses in the bylaw whereby workplaces and/or apartment building owners may request the municipalities to recognize their entranceway be designated as smoke-free and enforce the by-law.

It should be noted that fees for registration are generally established by municipalities to cover some costs of administration.