

MAKE OUR COMMUNITY SMOKE & VAPOUR FREE



This resource has been developed to support Ontario's local governments in your efforts to build healthier communities by encouraging the implementation of policies and bylaws that strengthen the current provincial smoke and vapour-free legislation. This resource provides examples of how local governments can provide residents with greater protection from secondhand smoke and vapour than the minimum standards set by the Smoke-Free Ontario Act (SFOA), 2017. It also outlines the many benefits to the whole community.

Smoke-Free Ontario Act, 2017

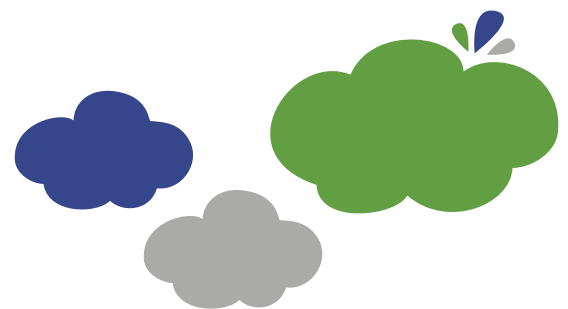
The primary goal of the SFOA 2017 is to protect Ontarians from physical and social exposure to secondhand smoke and vapour. It bans smoking and vaping indoors and in many outdoor public spaces such as sporting areas, children's playgrounds, school property and restaurant and bar patios. A number of outdoor settings are not currently covered by provincial regulation such as:

- * Beaches
- * Walking Trails
- * Outdoor Festivals
- * Municipal Property

The legalization and subsequent inclusion of cannabis and e-cigarettes/vaping under the SFOA 2017 presents an opportunity for municipalities to open and expand your No Smoking bylaws to also include cannabis and vaping. It is also an ideal time to include more of the outdoor spaces where your residents and visitors gather, play and work under the bylaw.

Commercial and Sacred Tobacco: What is the Difference?

Commercial tobacco refers to tobacco that is commercially produced for use in cigarettes, smokeless tobacco, pipe tobacco, cigars, hookah, and other products.¹ Commercial tobacco is different from traditional/sacred tobacco that is used and kept sacred by indigenous communities.¹ For the purpose of this resource, all references to tobacco, apply to commercial tobacco only, as traditional or sacred tobacco is typically exempted from smoke/tobacco-free policies.



Why Implement Enhanced Smoke and Vapour Legislation?

Municipalities can positively impact the health of your communities by adopting or expanding a smoke and vapour-free bylaw. Reasons to do so include the following:

Role Modeling

When people are exposed to others using tobacco or vape products, it creates the impression that the use of these products is common and socially acceptable.² Evidence shows that enhanced smoke and vapour-free policies:

- Support quit attempts by reducing visual cues for smoking and vaping;
- Change perceived norms on smoking and vaping behaviour;
- Reduce demand for smoke and vape products;² and
- Decrease youth and young adult initiation.

Environmental Threats

Smoking in outdoor areas can contribute to increased litter, pollution, and risk of fire caused by improperly discarded or extinguished cigarette butts, especially in parks and beaches. Cigarette butts are the most littered item and are not biodegradable.³ They remain an ongoing threat to children, wildlife and the environment. Prohibiting smoking and vaping in more outdoor locations will reduce litter; cut municipal cleanup costs; and free-up taxpayers' money for more worthwhile initiatives.⁴

Health Impacts

Smoke and vapour-free outdoor spaces legislation decreases exposure to secondhand smoke. Despite common perceptions that tobacco smoke dissipates outdoors, research has demonstrated that levels of secondhand smoke in outdoor settings can be comparable to indoor levels.⁵ Evidence concludes that even brief exposure to tobacco smoke may cause significant adverse health effects to non-smokers.⁵

Evidence shows that enhanced smoke and vapour-free legislation:

- Directly contributes to creating a smoke /vapour-free culture
- Reduces the initiation of smoking and vaping among youth
- Reduces the prevalence of tobacco use
- Protects the environment
- Protects against secondhand smoke and vapour
- Increases the number of people who quit smoking
- Reduces tobacco related morbidity and mortality

Ontario's Tobacco, Vaping and Cannabis Landscape

Commercial Tobacco

The government of Ontario is committed to ensuring that Ontario has the lowest smoking rate in Canada. According to the Canadian Community Health Survey, between 2005 and 2014, there was a significant decrease in smoking prevalence among Ontarians aged 12 years and older, from 19.6% to 16.1%. Even with this progress, tobacco use continues to be a notable cause of preventable disease and death, and is responsible for an estimated 13,000 deaths in Ontario per year. It kills more Ontarians than alcohol, illicit substances, accidents, suicide and homicides combined.

E-Cigarettes

An electronic cigarette or e-cigarette is a battery powered device that heats a liquid chemical (e-juice) into a vapour that can be inhaled. This is commonly called vaping. E-juice does not contain tobacco, however most of these products contain nicotine which is the addictive substance found in cigarettes. More research is needed to determine both the short and long-term health risks of vaping. Although e-cigarettes may have fewer chemicals than traditional cigarettes, vaping is not harmless.

According to the 2017 Ontario Student Drug Use and Health Survey, vaping among students is outpacing cigarette smoking. Past year e-cigarette use among Ontario's Grade 7-12 students was 10.7% compared to 7% who smoked cigarettes. The use of e-cigarettes increases by grade, with 9.2% of Grade 9 students and 18.9% of Grade 12 students reporting having used e-cigarettes in the past year.

VAPING IS NOT HARMLESS

- ✱ Most e-juices contain nicotine which can be highly addictive
- ✱ Nicotine can alter brain development and affect memory and concentration
- ✱ Chemicals such as formaldehyde, acrolein, propylene glycol and artificial flavourings are present
- ✱ It is unknown what health risks can come from secondhand vapor
- ✱ There is growing evidence that youth who vape go on to smoke cigarettes ⁶

Cannabis

The Smoke-Free Ontario Act, 2017 passed in the legislature prohibits smoking or vaping cannabis wherever it is illegal to smoke tobacco products (with the exception of motor vehicles and boats – cannabis cannot be smoked, vaped or eaten in a vehicle or boat that is being driven or is at risk of being put into motion).

You cannot smoke or vape tobacco or cannabis in the following Outdoor Areas under SFOA, 2017:

- ✱ on restaurant or bar patios and public areas within 9m of a patio
- ✱ on outdoor grounds of specified Ontario government office buildings
- ✱ in reserved seating areas at outdoor sports and entertainment locations
- ✱ on grounds of community recreational facilities, and public areas within 20m of those grounds
- ✱ in sheltered outdoor areas with a roof and more than two walls for use by the public or employees (e.g. a bus shelter)
- ✱ on school grounds and all public areas within 20m of these grounds
- ✱ on children's playgrounds and public areas within 20m of playgrounds

Municipal Cost & Enforcement

Implementing and enforcing smoke-free outdoor space bylaws have not been shown to require additional financial and human resources.⁷ In a survey of 37 Ontario municipalities that had smoke-free outdoor space bylaws in place for at least two years (enacted no later than June 1, 2010), the enforcement work activities were addressed within current budgets and workforce.⁷

Activities undertaken to increase community awareness of the bylaws included: hanging signage; delivering community presentations; and circulating promotional materials (e.g., posters, information in recreation/tourism brochures and on social media etc.).⁷

Enforcement activities were also undertaken by current municipal staff (most often by municipal bylaw officers), and generally included responding to complaints and routine inspections, often in the course of officers' daily travels.⁷ The majority of surveyed municipalities had issued warnings as a result of noncompliance; however, only six had issued ticket(s).

Similar results were found in a review of the Town of Collingwood Playground bylaw enacted in July 2000 and expanded to include public playing fields by 2005. A review of the public's response to the bylaw found between 2000-2007 there were no complaints, no tickets issued and minimal damage to signage.⁸

To help build voluntary compliance and support for a bylaw community education is important. While voluntary compliance is cost-effective, it is still important for local governments to take enforcement action when necessary.⁹ Making information available and accessible to the public helps to proactively manage public expectations about enforcement.⁹

Next Steps:

By making the effort to enact these protections, each municipality will have more control and ability to influence the societal impacts of smoking, vaping and cannabis. Check out the following resources to get started:

1. Review your municipality's current No Smoking bylaw to determine how it can be enhanced to give greater protection from secondhand smoke and vapour.
2. Consult Smoke Free Ontario Act, 2017 for further support in guiding bylaw enhancement:
<http://www.simcoemuskokahealth.org/Topics/Tobacco/Protect-Yourself-From-Secondhand-Smoke/Smoke-Free-Ontario-Act>
3. Review a draft model of a Smoke and Vapour-Free Bylaw:
http://www.simcoemuskokahealth.org/docs/default-source/jfy-communities/Public-Health-Guidance-for-Municipalities_Cannabis.pdf?sfvrsn=12
4. Determine your Bylaw Education, Communication and Enforcement Plans. The following links provides information for health care practitioners supporting municipal bylaw development.
https://www.publichealthontario.ca/en/eRepository/Bylaw_Primer_2014.pdf
5. Connect with your Public Health Unit for consultation and support

References

- ¹Keep It Sacred National Native Network. (2015). Commercial Tobacco. Retrieved online from <https://keepitsacred.itcni.org/tobacco-and-tradition/commercial-tobacco/>.
- ²Government of Ontario. (2018, May). *Smoke-Free Ontario - The Next Chapter*. Retrieved online from <http://www.health.gov.on.ca/en/common/ministry/publications/reports/SmokeFreeOntario/default.aspx>
- ³Non-Smokers' Rights Association & the Smoking and Health Action Foundation (2011). *Tobacco-free campus guide*. Retrieved online from https://leavethepackbehind.org/wpcontent/uploads/2014/08/Tobacco_Free_Campus_Guide_web_final.pdf
- ⁴Forsythe, J. Physicians for a Smoke-Free Canada. (2010, September). *Smoke-Free Outdoor Public Spaces: A Community Advocacy Toolkit*. Retrieved online from http://www.smoke-free.ca/pdf_1/Smoke-free%20outdoor%20spaces%20advocacy%20-sept2010.pdf
- ⁵Cameron M et al. *Secondhand smoke exposure (PM2.5) in outdoor areas and its correlates*. *Tobacco Control* 2010; 10 (1): 19-23.
- ⁶Centres for Disease Control and Prevention. Retrieved online from https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html#one
- ⁷Kennedy et al: Reported municipal costs from smoke-free by-laws-experience from Ontario, Canada. *Tobacco Induced Diseases* 2014 12:4
- ⁸Ontario Tobacco Research Unit L.E.A.R.N Project. Retrieved at <https://www.ptcc-cfc.on.ca/common/pages/UserFile.aspx?fileId=104068>
- ⁹The office of the Ombudsperson (2016) *Bylaw enforcement: best practices guide for local governments* (Special Report No. 36). Retrieved from <https://www.bcombudsperson.ca/sites/default/files/Special%20Report%20No%20-%2036%20Bylaw%20Enforcement%20-%20Best%20Practices%20Guide%20for%20Local%20Governments.pdf>