



MEMORANDUM

TO: Mayor Bonnette and Members of Council

FROM: Kevin Okimi, Director of Parks and Open Space

DATE: April 15, 2021

MEMORANDUM NO.: MEM-RP-2021-0003

RE: Halton Region Smoking and Vaping in Public Places By-law Update

PURPOSE OF THE MEMORANDUM:

The purpose of this memorandum is to provide Council with the current information with respect to smoking and vaping at Town parks and the grounds of recreation facilities, based on the passing of the Region of Halton Smoking and Vaping in Public Places By-Law-40-20.

BACKGROUND:

In July 2020, Halton Regional Council adopted Report No. MO-15-20 – Smoking and Vaping in Public Places By-law, which contained an updated by-law to replace By-law No. 24-09 – Outdoor Smoking Prohibition By-law, subject to the consent of the local municipalities.

Town Council passed Resolution 2020-0200 on September 28, 2020, to consent to the passage and implementation of the Halton Region Smoking and Vaping in Public Places By-Law, as enforcement of the by-law remained with Halton Region Public Health Staff.

COMMENTS:

Halton Regional By-Law No. 40-20 came into force on March 15, 2021. By-Law No. 40-20 replaces By-Law No. 24-09, which was passed in 2009 to prohibit the smoking of tobacco within nine metres from any entrance or exit of municipally owned or leased buildings. By-Law No. 40-20, expands the restrictions in the original by-law and now prohibits smoking and vaping in public parks, in addition to within nine metres from any entrance or exit of municipally owned or leased buildings and also adds a prohibition within nine metres of child care centres. The by-law will be enforced by Halton Region Public Health staff, who also enforce the provisions of the Smoke Free Ontario Act, 2017.

The table below outlines the restrictions on smoking and vaping as they affect the outdoor spaces at Town owned/managed/leased properties (note the more restrictive provision would take precedence) for Council's reference. Smoking and vaping in all indoor enclosed workplaces and public enclosed spaces is prohibited under the Smoke Free Ontario Act, 2017.

Location	Examples:	Halton Region By-Law 40-20 (2021)	Smoke Free Ontario Act, 2017
Municipal Building (grounds)	Town Hall, Fire Halls, Hillsvew/Youth Centres*, Operations Centre, Cultural Centre/Libraries*	<u>Prohibited within 9m of entrance/exit</u>	Allowed
Community Recreational Facilities (grounds)	Gellert Community Centre, Arenas	Prohibited within 9m of entrance/exit	<u>Prohibited (entire property and any public property within 20m of property)</u>
Parks	Georgetown Fairgrounds	<u>Prohibited</u>	Allowed in certain circumstances if setbacks met
Sportsfields/Courts	Trafalgar Sports Park Soccer field	<u>Prohibited (within parks)</u>	Prohibited within 20m of fields/courts
Playgrounds	Jubilee Park Playground	<u>Prohibited (within parks)</u>	Prohibited within 20m of playgrounds
Leash Free Parks	Prospect Park Leash Free Park	<u>Prohibited (within parks)</u>	Allowed
Trails	Hungry Hollow Trail	<u>Prohibited</u>	Allowed
Child Care Centres	Norval Park	<u>Prohibited within 9m of entrance/exit and within entire adjacent park</u>	Prohibited (entire indoor premise and outdoor areas)
School sports fields / grounds	Kiwanis Field	Not addressed	<u>Prohibited (entire property and any public property within 20m of property)</u>
Cemeteries	Greenwood Cemetery	<u>Prohibited within 9m of entrance/exit of any buildings</u>	Allowed
*Youth Centres/Libraries/Hillsvew locations that are within a park/school property or part of a Community Recreational Facility (i.e. Hillsvew Acton) would be subject to the restrictions on the property in accordance with the larger property			

Public Health Inspectors (PHIs) from Halton Region Public Health will respond to issues of non-compliance with Regional By-Law No. 40-20. PHIs use a progressive enforcement approach when addressing non-compliance; this may include education, warnings, tickets and summons.

To make a complaint about smoking or vaping in public places or to obtain additional information residents can be directed to email accesshalton@halton.ca or contact Halton Region Public Health by calling 311.

Halton Region staff have communicated with and provided signage to child care centres and municipalities, issued a media release, updated the Region's website with information on By-Law 40-20 and shared information through social media.

Halton Region will be providing the Town with signs to reflect the updated by-law for installation at Town parks and facilities.

CONCLUSION:

Halton Regional By-Law No. 40-20 Smoking and Vaping in Public Places came into force on March 15, 2021. Halton Region Public Health enforces the provision of this new by-law and the Smoke Free Ontario Act. The two regulations have different restrictions for Town owned/managed/leased properties as outlined in this memorandum (the stricter of the two would apply).

Reviewed and approved by,

A handwritten signature in black ink, appearing to read "Warren Harris".

Warren Harris, Commissioner of Recreation and Parks

A handwritten signature in black ink, appearing to read "C. Mills".

Chris Mills, Acting Chief Administrative Officer