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**TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL**

**FROM: T. BANTING, MANAGER OF ENFORCEMENT SERVICES**  
**W. COOKE, CITY CLERK / DIRECTOR OF LEGISLATIVE AND COURT SERVICES**

**NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES**  
**M. PROWSE, CHIEF ADMINISTRATIVE OFFICER**

**RE: CHANGES TO SMOKE FREE ONTARIO ACT 2017 – EFFECTIVE JULY 1, 2018**

**DATE: JUNE 25, 2018**

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The purpose of this Memorandum is to provide members of Council with information related to the recent amendments made to the *Smoke Free Ontario Act, 2017*, which come into effect on July 1<sup>st</sup>, 2018.

Staff were advised in May of 2018 that changes to the *Smoke Free Ontario Act, 2017* (SFOA) will be implemented as of July 1<sup>st</sup>, 2018, such changes will now address the use of Vape and E-Cigarettes products along with expanding the prohibitions related to Outdoor Patios, Community Recreation Facilities and Parks.

Staff within Enforcement Services will bring forward a report in the fall of 2018, which will outline and recommend the necessary amendments required for our current “smoking” by-laws (Smoking in Public and Work Places and Smoking Outdoors By-laws) to bring us into compliance with the legislated changes.

Some notable changes within the SFOA that will have the most impact on our municipal functions and facilities including parks are as follows.

**Enhanced Prohibitions (setbacks):**

1. Smoking is now prohibited within: (including vape, e-cigarettes and medical cannabis)
  - a) 9 metre radius from a restaurant and bar patio;
  - b) 20 metres from the perimeter of a school as defined by the *Education Act*;
  - c) 20 metres from the perimeter of the grounds of a private school; and
  - d) 20 metres from the outdoor grounds of a community recreational facility, playground, park or sports field.

\* Note – the application of setbacks / radius measurements are still to be confirmed however may be measured from outer most point of the property boundary and will now include the municipal sidewalk or parking lot area, should it fall within the setback measurement.

\*\* Additional Note – should an event be taking place within a park that has a playground or sports field, that entire event may now be considered a smoke free event.

**Additional notable items:**

2. Use of Vape products indoors will now be prohibited (Vape lounges).
3. Hospital properties will now be 100% smoke free facilities.



## LEGISLATIVE AND COURT SERVICES MEMORANDUM

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The SFOA will continue to be enforced through the Simcoe Muskoka District Health Unit for our area, however as noted above, our municipal regulations are required to be amended to incorporate these changes. Preliminary discussions have taken place with representatives of the Simcoe Muskoka District Health Unit and it has been determined that they will be undertaking an educational campaign to ensure both the general public and the business community are familiar with the new regulations.

**Interim measures to be undertaken by City:**

Enforcement Services staff will continue to meet with representatives of the Health Unit to confirm various parts of the legislation as staff prepare the overall report and by-law amendments for the fall of 2018.

Enforcement Services staff will be working with both Roads, Parks and Fleet and Recreation Services to ensure the "permitted smoking area" signs are removed, as required, from various parks and recreational facilities where smoking is currently permitted in parking lots, as July 1<sup>st</sup>, 2018 approaches to remove any conflicts with the legislation.

Lastly, in addition to the public educational campaign put forward by the Health Unit, staff will be advising various work units within the City to ensure compliance.