



## LEGISLATIVE AND COURT SERVICES MEMORANDUM

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

**FROM: J. FORGRAVE, SUPERVISOR 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: SMOKING ENFORCEMENT AT WATERFRONT PARKS – ENHANCED ENFORCEMENT PROJECT**

**DATE: OCTOBER 1, 2018**

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The purpose of this Memorandum is to provide members of Council with information related to the enforcement of City of Barrie By-law 2009-086 regarding smoking outdoors on City owned, in anticipation of the commencement of recent amendments made to the Smoke Free Ontario Act 2017.

Staff were advised in May of 2018 that changes to the Smoke Free Ontario Act (SFOA) 2017 would be forthcoming as of July 1<sup>st</sup>, 2018, however the implementation date has been stayed by the Provincial Government. The pending changes were to address the use of Vape and E-Cigarettes products along with expanding the prohibitions related to outdoor patios, community recreation facilities and parks.

While staff in Enforcement Services customarily enforce and educate regarding the Smoking By-laws while conducting patrols, staff performed enhanced enforcement of the Smoking By-laws in all waterfront parks during the month of July, 2018 and recorded all interactions with park goers that involved the act of smoking.

During this enhanced enforcement between July 1 and July 31, 2018 two designated Officers patrolled the waterfront parks from Johnson's Beach to Minet's Point Park, including all walkways and pathways that join all the parks by bicycle and on foot, with occasional patrols to Gables Park, Tyndale Park and Dock Road. These officers collectively worked a total of 42 shifts, covering the hours of 8:00 a.m. to 8:00 p.m., including each weekend.

A total of 28 interactions with the public were recorded between the two staff. All were used as educational opportunities for the members of the public with Officers issuing cautions to each. Many complied immediately when the Officers requested they move to a designated smoking area moved to the public sidewalk within the road allowance or extinguished the cigarette. A few members of the public had some opinions regarding the Officers request but did comply nonetheless. No legal action was required by the Officers. The majority of the 28 interactions took place along the main waterfront area of Centennial Park with 15 cautions.

Total Shifts Worked	Total Interactions	Legal Action (Charges)	Cautions	Comments
42	28	0	28	15 of 28 interactions occurred at Centennial Park