

EXCERPT FROM OTTAWA COUNCIL DECISION ON SMOKE-FREE OUTDOOR BYLAW

- 3. EXPANDING SMOKE-FREE SPACES- LET'S CLEAR THE AIR: A RENEWED STRATEGY FOR A SMOKE-FREE OTTAWA**
- AJOUT D'ESPACES SANS FUMÉE – PURIFIONS L'AIR : UNE STRATÉGIE RENOUELÉE POUR UN OTTAWA SANS FUMÉE**

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

- 1. Receive the Board of Health Report “Let’s Clear the Air: A Renewed Strategy for a Smoke-Free Ottawa” (Document A), and the disposition from the Board of Health February 6, 2012 meeting (Document B);**
- 2. Approve the amendments to its By-laws to provide for more smoke-free spaces as follows:**
 - a) The *Parks and Facilities By-law* (By-law No. 2004-276) to prohibit smoking on all municipal properties such as parks, beaches, sports fields and outdoor areas around City facilities, as detailed in Document 3;**
 - b) The *Parkdale Market By-law* (By-law No. 2008-448) and *ByWard Market Program By-law* (By-law No. 2008-449) to require the holder of a stand permit to ensure smoking is not permitted in the stand, as detailed in Document 4;**
 - c) With respect to patios:**
 - i. The *Public Places By-law* (By-law No. 2001-148) to prohibit smoking on an outdoor patio located on private property, as detailed in Document 5;**
 - ii. The *Encroachment By-law* (By-law No. 2003-446) to require the holder of an encroachment permit for a patio located in the right-of-way to ensure that smoking is not permitted on the patio, as detailed in Document 6.**
- 3. Direct staff to review the *Parks and Facilities By-law* and report back on the appropriate methods to prohibit lighted water pipes and similar smoking implements at all City parks, beaches, facilities, including administrative buildings.**
- 4. Request that the Mayor write a letter to the Ontario Minister of Finance requesting clarification with respect to the authority of tobacco enforcement officers to inspect and seize contraband tobacco and, if necessary, provide additional authorization pursuant to the *Tobacco Tax Act* or amend the above-noted legislation as required.**
- 5. Ask the Board of Health to work with By-Law Services and our BIAs to advise those businesses which consult with them of pending policy proposals.**
- 6. Delete the word “are” in document 5, Clause (2)(a) and replace it with the words “may be”.**

CARRIED as amended by the following Motion:

MOTION

Moved by Councillor S. Desroches
Seconded by Councillor J. Harder

WHEREAS contraband tobacco can have negative public consequences and impacts such as an increase in tobacco consumption, youth access and initiation, as well as criminal activity;

THEREFORE BE IT RESOLVED that recommendation 4 be amended to include the following:

And that the federal and provincial governments be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco.

CARRIED

Direction to Staff

That staff be directed to efficiently and robustly enforce compliance of the City's by-laws with respect to non-smoking, as well as the use of water pipes and similar smoking implements using tobacco where business establishments are licensed by the City.