



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date: Monday, June 27, 2022

To: Members of Council

From: Jennifer Willoughby, Director of Legislative Services/Clerk

Report: LS2022-12

Subject: **Town of Shelburne Smoking & Vaping Bylaw**

Recommendation

BE IT RESOLVED THAT Council receives report LS 2022-12 for information;

AND THAT leave be given for the reading and enacting of Bylaw #33-2022 being a bylaw to regulate the smoking and vaping of tobacco and vapourizing of any substance on municipally owned or leased properties within the Town of Shelburne.

Background

[The Smoke Free Ontario Act](#) (SFOA), 2017, became effective on October 17, 2018. The SFOA, 2017, repealed the Smoke-Free Ontario Act, 2006 and the Electronic Cigarettes Act, 2015, replacing them with one legislative framework. The amended SFOA, 2017 bans the smoking of tobacco or cannabis (including medical and non-medical cannabis) and vaping in enclosed workplaces, enclosed public places, and other designated places.

Analysis

All bylaws should reference current legislation, provide the Town with the ability to address concerns and clearly establish rules in regard to smoking and vaping on municipally owned or leased properties.

Currently the Town has several dated bylaws that require updating [#9-1993](#), [#6-1994](#), [#13-1995](#) and [#7-1997](#). Neither of the aforementioned bylaws reference the Smoke Free Ontario Act or are compliant with current legislation.

The smoking and vaping of cannabis in public places is addressed through bylaw [#61-2018](#) and [#65-2018](#).

The proposed bylaw to regulate smoking and vaping will assist with addressing smoking and vaping on or within any property owned or leased by the municipality including the following:

- Municipal buildings;
- Trails and walkways;
- Parks and parkland;
- Playground areas;
- Outdoor recreational facilities;
- Special events.

The proposed by-law is provided as Appendix 1.

Research shows that cigarette smoke contains more than 7,000 chemicals impacting almost every organ of the body, while contributing to chronic diseases such as cancers, heart and lung diseases, and other adverse health conditions. Limiting exposure to second-hand smoke and vapour from tobacco products can help to change perceived norms that smoking and vaping are both common-place and socially acceptable and can help to support those who have quit smoking.

Policies and Implications

N/A

Financial Impact

N/A

Consultation and Communications

Staff reviewed the following municipalities in developing the proposed bylaw: Wasaga Beach, Cornwall, Kingston, Barrie and Toronto.

The proposed bylaw has received legal review from the Town Solicitor.

Council Strategic Priorities

Council's Strategic Priorities have three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals.

This report aligns with the sustainable goals within the targets:

Target T2 – municipal services review and evaluation

Target T10 – Improve and enhance parks and recreation services

Supporting Documentation

Appendix 1 – Bylaw #33-2022

Report Respectfully Submitted and Prepared By:

Jennifer Willoughby, Director of Legislative Services/Clerk

Reviewed By:

Denyse Morrissey, CAO