



# Township of East Zorra-Tavistock

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2012-01-18

Township Facility Managers, Operators, Users and Residents

## **Consultation re: Expanded No-Smoking Regulations at Township Facilities – Comments due before February 29, 2012**

The Township is considering implementing smoking regulations that are more restrictive than those set out in the Smoke Free Ontario Act. Information about the current restrictions and how they apply to Township Facilities are attached. For more information about Smoke-Free Ontario see: <http://www.mhp.gov.on.ca/en/smoke-free/>

Township Council has reviewed by-laws from the City of Woodstock, Township of Blandford-Blenheim and Township of Zorra. In addition to the restrictions of the Smoke Free Ontario regulations, these by-laws also implement restrictions at facility entrances, playgrounds and sporting fields.

A summary of these restrictions follows:

	<b>BB</b>	<b>Zorra</b>	<b>Woodstock</b>
On Sports Fields	No Smoking	No Smoking	No Smoking
Walkways – Township Occupied Properties (Not Sidewalks)	No Smoking	No Smoking	No Smoking
Municipal Facility Entrances	No Smoking within 9 m	No Smoking within 9 m	No Smoking within 9 m
Playgrounds	No Smoking within 9 m	No Smoking within 9 m	No Smoking within 30 m
Outdoor Bleachers/Spectator Seating	No Smoking within 9 m	No Smoking within 9 m	No Smoking within 15 m
Pavilions	No Smoking within 9 m	No Smoking within 9 m	No Smoking within 9 m
Sport Fields	No Smoking within 9 m	No Smoking within 9 m	No Smoking within 15 m
Bus Stops	N/A	N/A	No Smoking within 4 m
Downtown Sidewalk Café	N/A	N/A	No Smoking

If Council decides to move forward with additional restrictions, it would likely take place in conjunction with park operations commencing in the spring. The Township would place signage at appropriate locations and conduct an awareness campaign to gain compliance.

Enforcement is recognized as an area that could be a challenge. There is not the expectation that facility operators and users will be involved with enforcement, other than customary education. (Ex. Pointing out the no smoking signs and making people aware of the rules) The other by-laws have provisions for witness statements which may help with enforcement. The County of Oxford also has resources promoting a Smoke Free Ontario that may be able to provide some assistance.

As a facility user and stakeholder, Township Council would appreciate your comments and suggestions with this idea. Comments are required before February 29, 2012. It is anticipated Council will be further considering this matter at the March 7<sup>th</sup>, 2012 Council meeting.

Written comments can be submitted to:

Mail: Township of East Zorra-Tavistock  
Box 100  
Hickson ON NOJ 1L0

Email: [ezt@ezt.ca](mailto:ezt@ezt.ca)

You can also share your thoughts with Councillors and municipal staff. Contact information is available on the Township website at [www.ezt.ca](http://www.ezt.ca). Please feel free to share this information and request for comments broadly.

Yours truly,



Jeff Carswell, AMCT  
Chief Administrative Officer

## Smoke Free Ontario Information

### To Township of East Zorra-Tavistock Staff, Council, Facility Managers, Local Recreation Committees, Volunteers and Others

As most people probably know, the Smoke Free Ontario legislation is taking effect May 31, 2006. Information on this can be found at:

[http://www.mhp.gov.on.ca/english/health/smoke\\_free/default.asp](http://www.mhp.gov.on.ca/english/health/smoke_free/default.asp)

Although many Township facilities have been smoke free for a number of years, this legislation will still have an impact on the Township. Following are several specific areas that you should take note of:

#### **Parks & Recreation**

All Facilities – No Smoking (Facility is generally anything with a roof)

Pavilions – No Smoking

Tents – No Smoking

Concessions, under concession awnings, etc. – No Smoking

Grounds, Outdoor Park Areas – Smoking Permitted

Specific Areas on the Grounds – Township could regulate outdoor areas such as entire park, playgrounds, baseball diamonds, dugouts, bleachers, etc. – Currently there is no regulation so smoking would be permitted in these areas (as long as it could not be considered a facility)

Apparently minor youth groups may be working on developing recommended regulations for minor sporting activities

#### **Township Vehicles & Travel**

No Smoking in any Township owned vehicle at any time

No smoking in your personal vehicle if on Township Business and you have a passenger

#### **Offices, Road Shops, Firehalls, Other Buildings**

No Smoking – anywhere & anytime – includes shops, vehicle bays, lunch rooms, storage sheds, any enclosed work place, etc.

There is no regulation on distance from the entrance to the facility – The Township could regulate this if desired. For example, the Board of Health recommends a 9 m No Smoking perimeter from the entrance

Outdoor smoking shelters can be provided subject to regulations – no more than two walls and roof, not part of the building

Other points in the legislation you should be aware of:

Facility managers and employers must post signs where required, advise users/employees of the legislation, remove ashtrays

I have ordered signs and will have them delivered shortly

The Signs need to go at each entrance to the facility and on all washroom entrances

Employers/Supervisors must ensure that employees are aware smoking is prohibited, ensure no one smokes and act on complaints about contraventions in the workplace

The Oxford County Board of Health is responsible for implementation and enforcement of the legislation. The contact is:

Gerry Moniz(519) 539-0015 x3460 gmoniz@county.oxford.on.ca

The Township can make regulations and policies that are more restrictive than the Provincial legislation; however, it cannot create a regulation or policy that is less restrictive. If it does, the Provincial legislation will take precedence.

As a provider of public space and an employer the Township is obligated to comply with the provincial Smoke Free Legislation. Any concerns or complaints about contraventions should be directed to your supervisor, Committee Chair or myself for investigation and/or referral to the Board of Health.

If there are any questions or concerns about how the new Smoke Free Ontario regulations will affect the Township, please contact me. I've noted several areas that are not currently regulated but likely warrant consideration. ie. Playgrounds, entrances, recreational spaces (dugouts, diamonds). If you have any comments or suggestions please let me know.

Jeff Carswell, AMCT  
Chief Administrative Officer  
Township of East Zorra-Tavistock

**Additional Clarification:**

canopy at entrance to arena - according to the SFOA there is no prescribed perimeter from the entrance

the township could implement a by-law that prevented smoking under roofed areas at township buildings, or recreational buildings

the township could implement a by-law that prevented smoking from a prescribed distance from any entrance/exit to township buildings, recreational buildings

the facility itself could implement a policy for the same

the new policy for Oxford County buildings is 9 metres/30 feet from any entrance or exit

ashtrays must be removed from prescribed places, however it is not expected that the permanent fixtures that are installed in work vehicles would be modified – simply not used as ashtrays

we can provide signs if requested, however according to the SFOA you need not post the prescribed signs in work vehicles

**Additional info from the Board of Health 2008-09-22**

The Smoke Free Ontario Act (SFOA) has been in effect since May 31, 2006 and bans smoking in all public places and workplaces. Work vehicles are considered part of the workplace under this legislation and drivers or passengers who smoke or hold lighted tobacco product in a work vehicle can be charged under the SFOA.

While compliance rates with smoking in public places and work places have been extremely high with the general public during the past two years, there have been lower compliance rates with smoking in work vehicles. To date Tobacco Enforcement Officers in Oxford County have been giving out warnings and education materials when they see infractions.

Please inform all employees who use work vehicles that failure to comply with the SFOA may result in prosecution. The fine for this infraction is \$305. I have included posters that you can put up in the work place as a further reminder for all staff.

Thank you for your cooperation on this matter. If you have any questions please contact me at 539 9800 ext 3460.

Sincerely,

Gerry Moniz

Tobacco Control Coordinator

Encl

# Keep Workplace Vehicles Smoke-Free IT'S THE LAW!

81597076

2360

CERTIFICATE OF OFFENCE / PROCES-VERBAL D'INFRACTION

JACK SMITH

12/06/10 31/11/15 A M

DOE JANE

999 SLOANE STREET  
WOODSTOCK, ONTARIO N4S 2X4

72643798 1/122222

65101021F

WOODSTOCK

SMOKE IN WORKPLACE VEHICLE

SMOKE-FREE ONTARIO ACT 9(1)

TOTAL PAYABLE 305.00



It is Illegal to Smoke  
in a Workplace Vehicle  
**Protecting You in Your Workplace**  
For more information contact your local Health Unit

*Oxford County*  
growing stronger...together

Public Health & Emergency Services  
519-539-9800 1-800-755-0394