

**Smoke-Free Toronto: Strengthening Protection**

<b>Date:</b>	September 16, 2013
<b>To:</b>	Board of Health
<b>From:</b>	Medical Officer of Health
<b>Wards:</b>	All
<b>Reference Number:</b>	

**SUMMARY**

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In October 2012, Toronto Public Health (TPH) reported to the Board of Health (BOH) on opportunities to strengthen protection from second-hand smoke in outdoor public places. The BOH requested the Medical Officer of Health to consult with key stakeholders on additional measures to reduce second-hand smoke exposure in outdoor public places, and to report back in 2013. Toronto Public Health has consulted with bar and restaurant owners, property managers, the hospital sector, sports groups, health and community-based organizations, universities, colleges and students, members of the public and relevant City divisions, on regulatory options to improve protection from second-hand smoke and to decrease the visibility of smoking in public places.

Based on the consultation findings, review of actions in other jurisdictions, health evidence on outdoor tobacco smoke exposure, the importance of smoke-free role models for children and youth, and public opinion data, this report recommends the Board of Health support making the following outdoor spaces smoke-free: public building entrances and exits, sports fields, specific amenities in parks, swimming beaches, public squares, bar and restaurant patios and hospital grounds. This report identifies ways to make these areas smoke-free either now or in the near future.

Specifically, this report proposes changes to the Municipal Code, Chapter 709 Smoking, to prohibit smoking within nine metres of entrances and exits to public buildings. Toronto Public Health is also recommending that the outdated provisions in the Municipal Code Chapter 709, Smoking be repealed.

A joint report with the General Manager of Parks, Forestry and Recreation recommending changes to the Municipal Code, Chapter 608, Parks, to make sports fields and specific park amenities smoke-free will be considered by the Parks and Environment committee on October 23, 2013.

This report also recommends that the Ontario Ministry of Health and Long-Term Care (MOHLTC) amend the Smoke Free Ontario Act (SFOA) to extend the current prohibition on smoking within nine metres of hospital entrances and exits to prohibit smoking on all hospital grounds in Toronto.

Opportunities for strengthening protection from second-hand smoke outdoors, including on bar and restaurant patios, are described in the report and will be the subject of future recommendations.

This report has been prepared in consultation with the City Solicitor, City Manager's Office, Executive Director of Municipal Licensing and Standards Division and General Manager of Parks, Forestry and Recreation Division.

## RECOMMENDATIONS

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### **The Medical Officer of Health recommends that:**

1. The Board of Health support making the following outdoor spaces smoke-free:
  - a. public building entrances and exits;
  - b. outdoor sports fields and parks amenities;
  - c. swimming beaches;
  - d. public squares;
  - e. bar and restaurant patios;
  - f. hospital grounds;
2. City Council instruct the City Solicitor to introduce the necessary bill in Council to amend Municipal Code Chapter 709, Smoking, regarding smoking within nine metres of public building entrances, in substantially the form of the amendments set out in Appendix A and Appendix B of this report, subject to such technical or stylistic amendments as may be required;
3. The Board of Health request the Medical Officer of Health to report in 2014 on legislative amendments to the proposed harmonized public squares bylaw (Municipal Code Chapter 636) following its approval by City Council, to require public squares to be smoke-free;
4. The Board of Health forward this report to the Minister of Health and Long-Term Care and request that the Minister amend the *Smoke-Free Ontario Act, 2006* to:
  - a. prohibit smoking on all uncovered bar and restaurant patios
  - b. prohibit smoking on all hospital grounds
5. The Board of Health request the Medical Officer of Health report back in 2014 with recommendations for municipal regulation to make uncovered bar and

restaurant patios in Toronto smoke-free should the Province not take action to prohibit smoking in these areas.

### **Financial Impact**

This report will have no financial impact beyond what has already been approved in the current year's budget.

### **DECISION HISTORY**

On October 22, 2012, the Board of Health approved, with amendments, the recommendations in the report titled *Toward a Smoke-Free Toronto: New Opportunities to Strengthen Protection* (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.HL17.4>). The Board of Health requested the Medical Officer of Health to consult with key stakeholders on measures to reduce second-hand smoke exposure in places such as patios, public building entrances, sports fields, public squares, bus shelters and hospital grounds. The Board of Health also requested the Medical Officer of Health report to the Board of Health in 2013 on the public and stakeholder consultation findings, on proposed amendments to relevant Municipal Code chapters, and on resource implications, timelines, enforcement, and other issues of by-law implementation.

### **ISSUE BACKGROUND**

Enacted in 2006, the Smoke-Free Ontario Act (SFOA) prohibits smoking in all enclosed workplaces and public places in Ontario, in vehicles with children present and school property. It also prohibits smoking outdoors on covered or partially-covered bar and restaurant patios and within nine metres of entrances and exits to health care facilities.

Ontario municipalities can strengthen second-hand smoke protection through local by-laws. In 2009, the City of Toronto surpassed the level of protection offered by the SFOA by amending Municipal Code Chapter, 608, Parks to prohibit smoking within nine metres of City playgrounds, wading pools, splash pads and in farms and zoos operated by the Parks, Forestry and Recreation Division. Approximately 60 Ontario municipalities (listed in Appendix C) have enacted by-laws that expand smoke-free outdoor spaces in areas such as at entranceways and exits to workplaces and public places, uncovered bar and restaurant patios, sports fields and public squares. Toronto is now falling behind these municipalities in its legislation to protect people from exposure to second-hand smoke, supporting smokers to quit smoking and preventing new smokers from starting to smoke.

### **COMMENTS**

Over the past decade, Ontario's youth smoking rates, levels of second-hand smoke exposure and the burden of illness from tobacco-related health effects have decreased significantly, in large part due to the SFOA and local by-laws across the province. However, tobacco control efforts have not gone far enough, as tobacco use causes an estimated 13,000 deaths each year in Ontario.<sup>1</sup> In 2010, one in five, or 20% of, Ontario adults aged 20 and older were current smokers, while 19% of Toronto adults were current

smokers. Furthermore, in 2009/10, 15% of non-smoking Toronto adults were exposed to second-hand smoke in public places every day or almost every day.<sup>2</sup>

The SFOA created uniform standards for province-wide protection from second-hand smoke, primarily in indoor public places. However, since SFOA enactment in 2006, there has been growing evidence about the health risks associated with outdoor tobacco smoke exposure, particularly in places where non-smokers may be exposed to multiple active smokers, such as on bar and restaurant patios<sup>3,4,5</sup> or in areas where it is difficult to avoid exposure, such as building entrances and exits where smokers congregate.<sup>3,6,7,8</sup> There has also been increasing recognition of the importance of reducing the visibility of smoking behaviour in public places, particularly those frequented by children and youth.<sup>9</sup> The visibility of people smoking tobacco in public places contributes to the health risk by supporting the social acceptability of smoking, which has a strong influence on youth starting to smoke and on smokers trying to quit. There is also clear public and stakeholder support in Toronto and other Ontario municipalities for local by-laws restricting smoking in outdoor places such as building entrances and exits, bar and restaurant patios and sports fields.

In 2013, TPH consulted with key stakeholders on opportunities to protect the public from second-hand smoke in the following public places: bar and restaurant patios, public building entrances and exits, sports fields, park amenities, such as outdoor ice rinks, swimming pools and covered picnic shelters, beaches, hospital grounds, transit shelters, public squares, and university and college campuses.

Toronto Public Health staff facilitated 13 discussions with groups representing non-governmental health organizations, sports groups, businesses (primarily restaurant operators), hospital employees and senior management, universities, colleges and students. Focus groups were also held with smoking and non-smoking Toronto residents. Toronto Public Health also considered data from the 2011 Toronto Health Survey, a telephone survey of 1,200 Toronto adults with questions measuring opposition or support for smoke-free bar and restaurant patios, doorways to public places and workplaces, sports fields and beaches. Detailed consultation findings are provided in Appendix D: Summary of Stakeholder Consultations on Expanding Smoke-Free Public Places.

Toronto Public Health considered the following factors in determining outdoor areas to recommend for smoke-free regulation:

- whether children visit the area frequently;
- whether second-hand smoke is difficult to avoid in the area;
- whether outdoor tobacco smoke could drift to indoor areas;
- whether making the area smoke-free would reduce social pressure to smoke;
- other jurisdictions that have made the area smoke-free;
- level of public support for making the area smoke-free;
- stakeholder input; and
- legal and enforcement considerations

Based on these factors, TPH has identified the following outdoor areas for immediate by-law expansion: entrances and exits of public building, sports fields, swimming beaches and some other park amenities, such as picnic shelters and the passenger waiting areas serving the Toronto Island Ferry Service.

The following sections provide further detail on proposed approaches to enhance smoke-free outdoor space by location, integrating findings from TPH's consultation and review of evidence on the issue.

## **Outdoor Spaces Recommended for Smoking Regulation Now**

### **Building Entrances and Exits**

Research evidence shows that building entrances and exits can receive high concentrations of outdoor tobacco smoke which are difficult to avoid by non-smokers who need to pass through the area.<sup>8,10</sup> Currently, the only building entrances and exits where smoking is prohibited under the SFOA are those at hospitals, psychiatric facilities and long-term care homes.

Toronto Public Health receives complaints about smoking near public building entrances and exits. Currently, provincial legislation and City of Toronto by-laws permit smoking in these areas. Public support exists for smoke-free entrances and exits: 86% of respondents in the 2011 Toronto Health Survey support by-laws making doorways to public places smoke-free, and making doorways to public and private workplaces smoke-free.

Furthermore, a recent air quality monitoring study conducted at entrances and exits to office buildings in Toronto found that outdoor levels of fine particulate matter (PM<sub>2.5</sub> - air pollutant particles with a diameter of 2.5 microns or less that are a marker of exposure to second-hand smoke) increased with at least five lit cigarettes within nine metres of the building entrance and exit.<sup>8</sup>

Many private building owners and property managers in Toronto already enforce smoke-free entrance and exit policies at their buildings, including Cadillac Fairview, property manager for buildings like the Eaton Centre and Fairview Mall, and Brookfield Properties, whose buildings include First Canadian Place, Hudson's Bay Centre and the Bay Adelaide Centre. Similarly, most of Toronto's universities and colleges have policies restricting smoking within nine metres of entrances and exits to their buildings.

Property managers that participated in TPH stakeholder consultations found that signage alone was semi-effective in enforcing smoke-free entrance and exit policies at their buildings. Moving ashtrays away from entrances and exits was more effective in discouraging smoking. Participants advised that should a smoke-free entrance and exit by-law be adopted, they would expect the City to prioritize education and enforcement towards offenders rather than building management.

Nine municipalities, including Kingston and Thunder Bay, restrict smoking near all public building entrances and exits. At least 50 Ontario municipalities prohibit smoking

near the entrances and exits of municipally owned buildings, including Peel Region, Halton Region, Ottawa, Peterborough and Vaughan. Across Canada, provincial legislation for smoke-free entrances and exits to all public places and workplaces is already found in British Columbia, Alberta, Saskatchewan, Nova Scotia and Prince Edward Island.

The recommended amendments to Municipal Code, Chapter 709 would prohibit smoking in a prescribed area surrounding the entrances and exits of all public buildings in Toronto, including entrances and exits to public buildings that contain residential units. Toronto Public Health is recommending a smoke-free area within a nine metre radius surrounding an entrance or exit of a public building. This is consistent with the SFOA smoking prohibition at health care facility entrances and exits. Although the City may pass by-laws regulating smoking in public places, such as areas surrounding entrances and exits of public buildings, the *City of Toronto Act, 2006*, restricts such by-laws from applying to a public highway, such as a sidewalk or road. As a result, the smoking by-law, if adopted, will not apply to that part of the nine metre area surrounding entrances and exits of public buildings that is located on a highway, such as a sidewalk or roadway. This means that there will be a proportion of public building entrances which cannot be smoke-free under a City by-law, such as entrances opening directly onto sidewalks.

### **Outdoor Sports Fields, Beaches and Park Amenities**

The SFOA prohibits smoking on all school grounds which include playgrounds, play structures and school sports fields. In 2009, Toronto's Municipal Code Chapter 608, Parks was amended to prohibit smoking within nine metres of playgrounds, wading pools and splash pads, and in farms and zoos operated by Parks, Forestry and Recreation. Other areas of Toronto's parks and Toronto's beaches have not been made smoke-free.

The most compelling rationale for banning smoking at sports fields, beaches and park amenities relates to child and youth protection from second-hand smoke and the importance of role modelling a smoke-free lifestyle. Second-hand smoke exposure can be especially harmful for children as their lungs are still developing and they breathe faster than adults, thereby exposing them to higher levels of pollutants per unit of body weight than adults. Greater exposure increases their risk for adverse health consequences including sudden infant death syndrome, lung problems, ear infections and asthma.<sup>11</sup> Furthermore, children and youth who are exposed to smoking are at risk of taking up smoking themselves. Images of people smoking in public places normalize smoking in the minds of children and youth. In particular, coaches, parents and others involved in recreational activities often serve as youth role models.<sup>12</sup> These role models are often an important influence on a child's decision to smoke.<sup>13</sup>

During TPH's consultations with sports associations, consultation participants supported a Toronto by-law making sports fields smoke-free. They felt this aligned with their goals of encouraging a healthy lifestyle, and indicated that a by-law could help avoid conflicts among volunteers, parents and coaches over enforcement of smoke-free policies currently in place in many sports leagues and associations. Health stakeholders also noted beaches as an important location to make smoke free because of their frequent use by families

with children. Furthermore, 83% of respondents to the 2011 Toronto Health Survey would support a by-law making outdoor public sports fields and spectator areas smoke-free, while 77% would support making beaches smoke-free.

At least 40 Ontario municipalities now prohibit smoking near sports fields and spectator areas, including Peel Region, Barrie, Hamilton, Kingston, Ottawa, Peterborough and Vaughan. At least 11 Ontario municipalities restrict smoking at beaches, including Georgina, Ottawa and Hamilton. Many other municipalities across Canada and internationally prohibit smoking in parks, park areas and/or beaches including Vancouver, New York City, Los Angeles and Hong Kong.

Based on research and the stakeholder consultations, TPH collaborated with Parks, Forestry and Recreation Division to identify suitable smoke-free outdoor areas within City parks. These include sports fields, swimming beaches and park amenities including covered picnic shelters and the passenger waiting areas serving the Toronto Island Ferry Service. The Parks and Environment Committee will consider recommendations for legislative amendments in a joint report from the Medical Officer of Health and the General Manager, Parks, Forestry and Recreation at its meeting on October 23, 2013.

### **Recommended Implementation Plan for Municipal Regulation**

There is a high level of voluntary compliance with current smoking regulations, in part through TPH's comprehensive community awareness programs and progressive enforcement strategies. Toronto Public Health and its divisional partners will continue to use this successful approach to implement the proposed expansion of smoke-free spaces.

#### **Community Awareness**

Toronto Public Health already conducts extensive education programs to increase public awareness of the hazards of smoking and to support compliance with existing regulations prohibiting smoking in public places. This work was described in the Medical Officer of Health's October 22, 2012 report to the Board of Health <http://www.toronto.ca/legdocs/mmis/2012/hl/bgrd/backgroundfile-50813.pdf> and includes for example, programs to engage youth and disclose tobacco conviction information. The community will need to be informed through existing programs about the additional outdoor areas (sports fields, certain park amenities, building entranceways and exits) that will be smoke-free if the recommendations in this report to the Board along with those in the report to the Parks & Environment Committee are adopted by City Council.

The primary goal of a communication strategy will be to generate awareness among all audiences regarding the current and expanded smoke-free regulations. This awareness will increase compliance and reduce the need for enforcement resources. The second related objective is to educate the community on the harmful effects of exposure to outdoor second-hand smoke and about cessation supports offered through TPH and community partners.

The target audience for communications efforts will include:

- residents
- building management/property owners
- municipal staff
- sports associations, members and officials
- businesses and business associations

Toronto Public Health will collaborate with other City divisions on a public awareness plan that leverages existing communication activities to maximize the audience and minimize costs. The plan may include a combination of approaches, depending on the area involved, such as:

- Posting signs at building entrances/exits;
- Distributing information packages (which could include window decals, fact sheets, etc.) to building owners to help them communicate the new prohibition on smoking near entranceways and exits to staff and clients;
- Promoting the information via the City's website, social media and publications such as the Toronto Parks, Forestry & Recreation FUN Guide; and
- Collaborating with community partners to communicate information.

Toronto Public Health will continue to make smoking cessation resources available through public awareness activities. Toronto Public Health, family physicians, Community Health Centres and community partners like the Canadian Cancer Society's Smokers' Helpline, Nicotine Dependence Clinic at the Centre for Addiction and Mental Health and Ontario Lung Association offer a range of self-help materials, counselling services and medication to help individuals quit smoking. More information is available on the TPH website <http://www.toronto.ca/health/tobaccofree/index.htm>.

### **Enforcement**

If adopted, enforcement of smoke-free public entrances and exits will be the responsibility of TPH. Healthy Environments staff that currently enforce provincial legislation and other city by-laws will enforce the new regulations at building entranceways and exits.

The recommended amendments to Municipal Code, Chapter 709 would have implications for both individuals and building proprietors. Individuals would be prohibited from smoking within nine metres of public building entrances and exits. Public building proprietors would be responsible for ensuring that people do not smoke within nine metres of building entrances and exits. Proprietors would be required to post no-smoking signs near public building entrances and exits and to remove ashtrays and similar paraphernalia in areas where smoking is prohibited.

Toronto Public Health recommends a progressive enforcement strategy for dealing with non-compliance under the by-law. During the first year after the by-law is enacted, enforcement efforts will focus on raising awareness of the by-law through an educational "blitz", including proactive inspections to promote the by-law requirements to property

owners during this first year of enactment. The goal would be that these activities increase awareness of the by-law such that in subsequent years enforcement of smoke-free entrances and exits would be in response to complaints only.

While gaining compliance through education is ideal, enforcement staff will, if appropriate, respond to non-compliance with the by-law by issuing a ticket or serving a summons in accordance with the Provincial Offences Act.

Enforcement of the smoke-free sports fields and park amenities will be the responsibility of Municipal Licensing & Standards division which enforces the current smoking restrictions near playgrounds, wading pools, splash pads, and in farms and zoos in City parks. Toronto Public Health and the General Manager of Parks, Forestry & Recreation, in consultation with the Executive Director, Municipal Licensing & Standards will report further on enforcement in the joint report to the October 23<sup>rd</sup> meeting of Parks and Environment Committee.

## **Outdoor Spaces Recommended for Future Municipal Regulation**

### **Public Squares**

Toronto has eight Public Squares including:

- Nathan Phillips Square, the seat of City government;
- Five Squares at the Civic Centres (Albert Campbell Square, Etobicoke Civic Centre, Mel Lastman Square, East York Civic Centre external grounds and York Civic Centre);
- David Pecaut Square at Metro Hall; and
- Yonge-Dundas Square.

Second-hand smoke exposure is a health concern in public squares, particularly during events aimed at children and families and those with seating or service lines that make it difficult for people to avoid tobacco smoke. The City Manager is currently leading a cross-divisional effort to develop a Governance and Policy framework for Public Squares including harmonizing the rules and regulations pertaining to their use into one by-law (Chapter 636). The report by the City Manager is to be considered at the September 24<sup>th</sup> meeting of Executive Committee and is expected to be discussed at the October 8<sup>th</sup> and 9<sup>th</sup> meeting of City Council. The Medical Officer of Health is currently working with the City Manager and consulting with City divisions to explore ways to make public squares smoke-free once the bylaw is harmonized. The Medical Officer of Health therefore will prepare a report on smoke-free public squares, for consideration by the Board in 2014.

### **Bar and Restaurant Patios**

In Ontario, the SFOA prohibits smoking only on patios that are entirely or partially covered by a roof. Bar and restaurant owners in Toronto can choose to make their uncovered patio smoke-free to suit their clientele. However, research indicates that most bar and restaurant operators will only make outdoor environments smoke-free when they are legally required to do so. For example, a 2007 University of Waterloo study of

owners of bars or restaurants with patios in Ontario, including Toronto, showed that rather than going smoke-free when the SFOA was passed, many owners of establishments with covered patios preferred to achieve compliance by making structural alterations, such as removing the patio's roof, where possible.<sup>14</sup>

In Toronto, public support exists for making all patios smoke-free. Data from the 2011 Toronto Health Survey indicate that 74% of Toronto residents would support a local by-law that prohibits smoking on outdoor public patios where food and drinks are sold and served. Furthermore, TPH's Tobacco Enforcement Officers (TEOs) report numerous challenges to enforcing the SFOA prohibition, as the definition of a roof is open to interpretation by both TEOs and establishment owners.

Bar and restaurant operators and representatives from the Ontario Restaurant Motel and Hotel Association (ORMHA) who participated in TPH's stakeholder consultation process indicated that they prefer having a choice rather than being required to make all patios smoke-free. However, recent scientific evidence indicates that making outdoor patios completely smoke-free is the most effective way to protect non-smokers, particularly bar and restaurant workers, from second-hand smoke exposure in these settings and in adjacent indoor areas. Bar and restaurant patios can receive high concentrations of outdoor tobacco smoke when multiple cigarettes are lit.<sup>6,7,15,16</sup> Employees and patrons working and dining indoors may also risk exposure from tobacco smoke that drifts through windows, doors or air intakes.<sup>17,18</sup>

Some operators expressed concern that requiring all patios to be smoke-free could result in customer dissatisfaction and economic loss to the restaurant industry. However, the experience of Ottawa, which made patios smoke-free in 2012, suggests there is minimal financial impact of smoking restrictions on the bar and restaurant industry. Notably, in a 2013 press release issued on the first year anniversary of the City of Ottawa's expanded smoke-free spaces, the Chair of the Ottawa Chapter of ORMHA referred to the smoke-free patio by-law as "a change we have embraced in response to what patrons want".<sup>19</sup>

Four Canadian provinces and territories have made both covered and uncovered patios smoke-free at all times: Alberta, Newfoundland and Labrador, Nova Scotia and Yukon. Additionally, Prince Edward Island prohibits smoking on patios until 10 pm. In Ontario, eight municipalities currently restrict smoking on all bar and restaurant patios, including Kingston and Ottawa. Smoking is also prohibited on bar and restaurant patios in Vancouver and the State of Hawaii and in outdoor dining areas of restaurant patios, food courts, food kiosks, food cars and mobile food trucks in Los Angeles, California.

Toronto has two types of patios, depending on where they are located:

- An estimated 239 restaurants or bars in the city operate a patio that is located on the business' private property, such as the backyard, rooftop or building frontage.
- There are about 705 patios – legally known as "boulevard cafes" – that are either partially or entirely located on the public right-of-way (typically a portion of the

sidewalk frontage). These businesses operate their patios under a permit from the City (Municipal Licensing & Standards Division) or with City Council approval.

Other jurisdictions in Ontario with smoke-free patio legislation reported to TPH that they were required to take different approaches to regulating patios depending on whether they are on private land or on the public right-of-way. Currently, in the City of Toronto, boulevard cafes are regulated under separate by-laws within each of the former municipalities of Toronto, East York, North York, Etobicoke and York. The former municipality of Scarborough did not regulate boulevard cafes through a bylaw. City Council is expected to consider a harmonized boulevard café by-law in 2014. Until then, municipal regulation of smoking on uncovered patios in Toronto would only immediately address patios located on private property, which would create an unlevel playing field for Toronto restaurant and bar patio businesses. For this reason, Toronto Public Health recommends that the Minister of Health and Long-Term Care consider amending the SFOA to prohibit smoking on all bar and restaurant patios province-wide.

Toronto Public Health will also consult with the City Solicitor to explore ways to make all uncovered bar and restaurant patios smoke-free through possible changes to the permit conditions for businesses operating patios on the public right-of-way. Once existing by-laws are harmonized, The MOH will report back to the BOH in future with recommendations for municipal regulation should the Province not take action to prohibit smoking on uncovered patios.

## **Other Public Spaces Considered but Not Currently Recommended for Municipal Regulation**

### **Transit Shelters**

The Board of Health asked that Toronto Public Health explore the status of smoke-free regulations affecting transit shelters. Currently, a Toronto Transit Commission (TTC) by-law prohibits smoking on all TTC property, including outdoor areas at TTC stations. Furthermore, the SFOA Regulation prohibits smoking in structures with more than two walls and a roof. Therefore, most transit shelters are already smoke-free through either the TTC by-law or SFOA Regulation. The City does not have the authority to regulate smoking in transit shelters with a roof and only one wall and located on sidewalks and transit islands because of restrictions on the City's by-law making powers in the *City of Toronto Act, 2006*.

### **Hospital Grounds**

The SFOA prohibits smoking within a nine metre radius of any entrance or exit of a public or private hospital, psychiatric facility or long-term care home in Ontario. In Toronto, many hospitals surpass the protection from the SFOA by having smoke-free grounds policies which are enforced by hospital security staff. It is TPH's experience that few hospitals have considered offering cessation support for patients and staff in conjunction with such policy development and often have not provided their security staff with options in terms of enforcing their policy.

While organizational best practices for cessation support exist, only some Toronto hospitals have formally adopted these recommendations. Some have adopted aspects of the University of Ottawa Heart Institute's "Ottawa Model for Smoking Cessation" ([http://www.ottawamodel.ca/en\\_main.php](http://www.ottawamodel.ca/en_main.php)) which is one such best practice. In this model, smokers are routinely identified on admission, offered medication and counselling to quit smoking and manage their nicotine withdrawal symptoms during hospitalization and are provided with support to remain tobacco-free post discharge. In addition, Toronto Public Health provides hospitals with resources and guidance to implement effective practices such as by inpatient treatment for nicotine withdrawal, adequate staff training to encourage patients who smoke to accept treatment, cessation support for staff and extensive communication to visitors, families and the broader community as a necessary component to effective policy implementation.

Many hospital representatives at TPH's stakeholder consultations felt that making hospital grounds smoke-free through municipal legislation could strengthen existing smoke-free grounds policies and related staff and patient cessation programs. However, a few hospitals – particularly those with less experience with smoke-free policies – expressed concern about practical challenges and impacts, such as exemptions for patients who require long-term or complex care and the need for cessation support for staff and patients.

The Ontario Ministry of Health and Long-Term Care should consult stakeholders and consider extending the current SFOA restriction on smoking near hospital entrances and exits to all hospital grounds. In the meantime, TPH will continue to assist hospitals in creating a supportive environment for smoking cessation, second-hand smoke protection and tobacco use de-normalization.

## **Conclusion**

As directed by the Board of Health in October 2012, TPH has consulted with key external stakeholders and relevant City Divisions on regulatory options to improve protection from second-hand smoke in Toronto and promote a tobacco-free lifestyle to children and youth. Based on the consultation findings, review of smoke-free by-laws in other municipalities and public support data in Toronto, this report identifies opportunities to make the following places smoke-free either now or in the future: public building entrances and exits, sports fields, specific amenities in parks, swimming beaches, public squares, bar and restaurant patios and hospital grounds.

Specifically, the proposed amendments to Municipal Code, Chapter 709 will reduce exposure to second-hand smoke near entrances and exits to public buildings in Toronto. The Parks and Environment Committee will consider amendments to Municipal Code, Chapter 608 to make sports fields, swimming beaches and specific parks amenities smoke-free in a joint report from the Medical Officer of Health and the General Manager, Parks, Forestry and Recreation at its meeting on October 23, 2013.

If the recommended smoke-free by-law amendments are adopted, TPH will work with the affected City Divisions to develop a detailed implementation plan that addresses communication and enforcement.

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## **SIGNATURE**

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Dr. David McKeown  
Medical Officer of Health

## **ATTACHMENTS**

Appendix A - Proposed Amendments to Municipal Code Chapter 709 - Smoking  
Appendix B - No Smoking Sign Characteristics  
Appendix C - Smoke-Free By-laws Ontario  
Appendix D - Summary of Stakeholder Consultations on Expanding Smoke-Free Public Places

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