

# Smoke-free by-laws

## Questions you may be thinking

### *Why do we need smoke-free by-laws in Parry Sound?*

- Exposure to second-hand smoke is a health hazard.
- In Parry Sound, 77 percent of people surveyed support smoke-free by-laws. (MPSHU public opinion survey, 1999)
- In Ontario, 43 jurisdictions have smoke-free by-laws. (OCAT, 2000)
- Most smokers say it is not important to them to smoke while dining out. (OTRU, 1996)
- Only 27 percent of the population in Muskoka and Parry Sound smoke regularly. (Ontario Health Survey)
- Close to half of Ontario adults who go to restaurants at least monthly say they avoid certain restaurants because they are too smoky. (OTRU, 1996)
- Spending one hour in a smoky room, a non-smoker can breathe in as much of one chemical as smoking 35 cigarettes. (New England Journal of Medicine)
- In Ontario each year, second-hand smoke is responsible for 14,000 ear infections, 6,000 ear tube insertions, 800 tonsillectomies, and 20,000 children suffering from asthma. (Ontario Medical Association)
- Food service workers are 50 percent more likely to develop lung cancer than the general population. (Ontario Tobacco Research Unit)
- Second-hand smoke causes both long-term and short-term stress on the heart and circulation by increasing heart rate and blood pressure. (Heart and Stroke Foundation)
- Second-hand smoke is listed as a Class A carcinogen, the highest cancer causing rating. (Environmental Protection Agency)
- Second-hand smoke contains three times more tar, 40 times more ammonia, five times more carbon monoxide and 10 times more benzene than smoke inhaled by a smoker. (Heart and Stroke Foundation)
- No level of exposure is considered safe

### *What is the “Breathe Easy Parry Sound” coalition?*

The goal of this coalition is to encourage Parry Sound to pass a smoke-free by-law for public places. The coalition receives its funding through the Ontario Tobacco-Free Network and the Take Heart coalition, Heart Health for Muskoka-Parry Sound. Members include concerned citizens and agencies such as the Heart and Stroke Foundation, Algonquin Health Services, Muskoka Family Focus, Take Heart, Bracebridge Culture and Recreation, Huntsville Department of Community Services and Muskoka-Parry Sound Health Unit.

### *Are we infringing on smokers’ rights?*

Smoking does not fall into any of the human rights categories of race, religion, gender, sexual orientation, age or physical disability. The use of a substance that creates a health hazard is not a rights issue; it is a health issue.

### *Will smoke-free by-laws affect restaurant business?*

California and Colorado have had smoke-free restaurant ordinances for years. An analysis of the sales tax data for 15 cities found that there is no evidence that 100 percent smoke-free restaurant by-laws have any effect on restaurant sales. There is no support for the claim that smoke-free by-laws drive patrons to restaurants in nearby communities that do not have a smoke-free by-law. There is no support for the claim that smoke-free restaurant by-laws affect tourism. Victoria and other regions in BC have been smoke-free for more than a year. Studies of this area have revealed no impact on business and an improvement in employment. Restaurants and bars in Waterloo region have not been affected by the 100 percent smoke-free by-law. Sales for the Oktoberfest increased this year even though it was smoke-free.

### *What is the impact on bingo halls?*

Waterloo included bingo halls in their bylaw. There was a decline in business the first three months, which may have been due to Brantford opening a casino at the same time. After three months, business returned to normal at two of the bingo halls.

### *Why can’t restaurant owners regulate smoking in their own restaurants?*

What customers favour and what restaurateurs perceive the customers desire can differ greatly. Restaurant owners tend to greatly underestimate the percentage of their patrons who desire smoke-free areas. Although some restaurants may be in favour of going smoke-free, they are

afraid of losing customers to another restaurant. A by-law would create a level playing field for all businesses and a safer environment.

***Give people the freedom of choice to dine in a smoke-free restaurant or a restaurant that allows smoking.***

The employees of these workplaces have a right to work in a healthier environment. People who are pregnant, have children or have health issues such as asthma, allergies or heart conditions should not be denied access to public places. Smoking is becoming a liability issue.

***What about ventilation?***

Some ventilation systems can remove some of the fine particles, but not the gases. Using current indoor air quality standards, ventilation rates would have to be increased more than a thousand-fold in order to reduce cancer and other risks associated with second-hand smoke. Such a ventilation rate would result in a virtual windstorm indoors. There are no national or provincial standards that approve ventilation technology capable of creating smoke-free air.

***Why should local municipalities get involved?***

Second-hand smoke is a well-documented health hazard. In 1994, the province recognized the importance of this issue by amending the Municipal Act (213(2)) to give municipalities the power to pass a by-law regulating the smoking of tobacco in public places and workplaces.

***Aren't there laws in place already?***

The federal Non-smokers Health Act protects employees working in federally controlled workplaces.

The Ontario Smoking in the Workplace Act and Tobacco Control Act are primarily designed to reduce smoking by young people and to protect people from second-hand smoke. Unfortunately the legislation does not cover all workplaces such as restaurants, bars and bingo halls.

***Why doesn't the province take on the responsibility?***

The province has been lobbied by health agencies to amend the Tobacco Control Act. The Province has passed the responsibility on to the municipalities because it is a local issue and should be tailored to fit the local environment. The larger municipalities have already passed smoke-free by-laws and all eyes are on the smaller northern municipalities to reinforce this important health issue.

***Will we need tobacco police to enforce smoke-free by-laws?***

Most municipalities with smoke-free by-laws use self-enforcement along with education. Some municipalities have had compliance problems in bars. In these cases, an enforcement blitz coupled with ongoing education brought about an acceptable level of compliance within a year. The Waterloo regional health unit received extra funding in their budget to hire an ex-RCMP officer, ex-regional police officer and ex-military officer to enforce the by-law. After a year of education and enforcement they have a 99 percent compliance rate.

***What sort of public places does the by-law include?***

The by-law should cover all public places not mentioned in other legislation. This may include restaurants, recreation facilities, municipal buildings, bingo halls, bowling alleys, taxis, and common areas of residential rental units.

***Is the public going to have input?***

Parry Sound may hold public consultations to involve all stakeholders before deciding on the wording for the by-law.