



# **Executive Committee**

**Wednesday, May 17, 2017  
11:45 AM**

**Henry Baker Hall, Main Floor, City Hall**



## OFFICE OF THE CITY CLERK

### **Public Agenda Executive Committee Wednesday, May 17, 2017**

#### **Approval of Public Agenda**

#### **Adoption of Minutes**

Executive Committee - Public - Apr 12, 2017 11:45 AM

#### **Committee Reports**

EX17-15      Smoking Bylaw

#### **Recommendation**

#### **RECOMMENDATION OF THE EXECUTIVE COMMITTEE - APRIL 12, 2017**

1. That City Council approve the development of a new smoking bylaw to replace the existing *Smoking Bylaw*, as further described in this report, which:
  - (a) Prohibits smoking and vaping on outdoor seating areas of restaurants, bars and similar establishments;
  - (b) Prohibits smoking and vaping at outdoor public events on City of Regina (City) owned or controlled land;
  - (c) Prohibits smoking and vaping at and within a 10 metre buffer zone of City owned outdoor recreational facilities including playgrounds, spray pads, swimming pools, skating rinks, skate parks, off-leash areas, picnic tables, picnic shelters, gazebos, exercise facilities, track facilities, open-air stadiums and sports facilities, hard surface courts and athletic fields (including spectator seating areas);
  - (d) Prohibits smoking and vaping within a 10 metre buffer zone of entrances, windows and air exchanges of public buildings;
  - (e) Prohibits vaping in enclosed public places where smoking is prohibited under *The Tobacco Control Act*;



## OFFICE OF THE CITY CLERK

- (f) Has an exemption consistent with *The Tobacco Control Act* in relation to outdoor traditional spiritual and cultural ceremonies; and
  - (g) Has an exemption for teaching and testing devices in a vape retail store.
- 2. That *The Smoking Bylaw, 2017* come into effect on July 15, 2017.
  - 3. That item MN16-12 be removed from the list of outstanding items for City Council.
  - 4. That this report be forwarded to the May 29, 2017 meeting of City Council for approval.

### Administration Reports

EX17-16      City of Regina (City) and the Federation of Sovereign Indigenous Nations (FSIN) - Proposed Memorandum of Understanding (MOU) on the Elimination of Racism throughout our Ancestral Lands/Province

#### **Recommendation**

- 1. That City Council approve the Memorandum of Understanding (attached) on the Elimination of Racism throughout our Ancestral Lands/Province between the Federation of Sovereign Indigenous Nations and the City of Regina.
- 2. That Mayor Fougere, on behalf of City Council, be authorized to execute the Memorandum of Understanding after review and approval by the City Solicitor.
- 3. That this report be forwarded to the May 29, 2017 meeting of City Council.

### Resolution for Private Session

AT REGINA, SASKATCHEWAN, WEDNESDAY, APRIL 12, 2017

AT A MEETING OF EXECUTIVE COMMITTEE

HELD IN PUBLIC SESSION

AT 11:45 AM

**These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.**

Present: Councillor Andrew Stevens, in the Chair  
Mayor Michael Fougere  
Councillor Lori Bresciani  
Councillor Sharron Bryce, (teleconference)  
Councillor John Findura  
Councillor Jerry Flegel  
Councillor Bob Hawkins  
Councillor Jason Mancinelli  
Councillor Joel Murray  
Councillor Mike O'Donnell

Regrets: Councillor Barbara Young

Also in Attendance: City Clerk, Jim Nicol  
Deputy City Clerk, Erna Hall  
City Manager, Chris Holden  
A/Chief Financial Officer, June Schultz  
City Solicitor, Byron Werry  
Executive Director, City Services, Kim Onrait  
Executive Director, Organization & People, John Paul Cullen  
Executive Director, Transportation & Utilities, Karen Gasmo  
Director, Communications & Customer Experience, Myrna Stark Leader

APPROVAL OF PUBLIC AGENDA

**Councillor Bob Hawkins moved, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the delegations be heard in the order they are called by the Chairperson.**

ADOPTION OF MINUTES

**Councillor Joel Murray moved, AND IT WAS RESOLVED, that the minutes for the meeting held on March 15, 2017 be adopted, as circulated.**

ADMINISTRATION REPORTS

EX17-12 The Regina Exhibition Association Limited (REAL) - Annual Report

**Recommendation**

1. That the Chief Financial Officer, as the City's proxy, be authorized to exercise the City's voting rights in REAL at the Annual General meeting taking place on April 28, 2017 as follows:
  - a) The following Directors be appointed to the REAL Board of Directors:  
Jaime Lavallee - May 1, 2017 to April 30, 2018  
Kathleen McCrum - May 1, 2017 to April 30, 2018  
Tiffany Stephenson - May 1, 2017 to April 30, 2018  
Ken Budzak - May 1, 2017 to April 30, 2020  
Gordon Selinger - May 1, 2017 to April 30, 2020
  - b) Receive the audited financial statements for the 2016 operating year;
  - c) Appoint auditor selected by the City of Regina through the Request for Proposal process as auditor of REAL for 2017, pursuant to section 149 of The Non-profit Corporations Act, 1995 (Saskatchewan).
  - d) Approve the revised bylaws which change the name Corporate Secretary to Governance Officer.
2. That this report be forwarded to the April 24, 2017 meeting of City Council.

Grant Wasnik and Sandra Masters, representing Regina Exhibition Association Limited addressed and answered questions of the Committee.

**Councillor Joel Murray moved, AND IT WAS RESOLVED, that the recommendations contained in the report be concurred in.**

EX17-13 Regina Downtown Business Improvement District - 2017 Budget

**Recommendation**

1. That City Council approve the 2017 Regina Downtown Business Improvement District budget as detailed in Appendix A.
2. That this report be forwarded to the April 24, 2017 City Council meeting.

Judith Veresuk, representing Regina Downtown BID addressed and answered questions of the Committee.

**Councillor Jason Mancinelli moved that the recommendations contained in the report be concurred in.**

**Councillor Bob Hawkins moved, in amendment, AND IT WAS RESOLVED, that Regina Downtown BID work with the Office of the City Clerk to enhance the application process for future Board of Director vacancies, focusing on professional competencies and diversity consideration.**

**The main motion, as amended, was put and declared CARRIED.**

EX17-14 Regina Warehouse Business Improvement District - 2017 Budget

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**Recommendation**

1. That City Council approve Regina's Warehouse Business Improvement District's (RWBID) 2017 budget as detailed in Appendix A.
2. That this report be forwarded to the April 24, 2017 City Council meeting for approval.

Mark Heise, representing Regina Warehouse BID addressed and answered questions of the Committee.

**Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations contained in the report be concurred in.**

**RESOLUTION FOR PRIVATE SESSION**

**Mayor Michael Fougere moved, AND IT WAS RESOLVED, that in the interest of the public, the remainder items on the agenda be considered in private.**

**RECESS**

**Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the Committee recess for 10 minutes.**

(The Committee recessed at 1:19 p.m.)

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Chairperson

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Secretary

May 17, 2017

To: Members  
Executive Committee

Re: Smoking Bylaw

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**RECOMMENDATION**

**RECOMMENDATION OF THE EXECUTIVE COMMITTEE  
- APRIL 12, 2017**

1. That City Council approve the development of a new smoking bylaw to replace the existing *Smoking Bylaw*, as further described in this report, which:
  - (a) Prohibits smoking and vaping on outdoor seating areas of restaurants, bars and similar establishments;
  - (b) Prohibits smoking and vaping at outdoor public events on City of Regina (City) owned or controlled land;
  - (c) Prohibits smoking and vaping at and within a 10 metre buffer zone of City owned outdoor recreational facilities including playgrounds, spray pads, swimming pools, skating rinks, skate parks, off-leash areas, picnic tables, picnic shelters, gazebos, exercise facilities, track facilities, open-air stadiums and sports facilities, hard surface courts and athletic fields (including spectator seating areas);
  - (d) Prohibits smoking and vaping within a 10 metre buffer zone of entrances, windows and air exchanges of public buildings;
  - (e) Prohibits vaping in enclosed public places where smoking is prohibited under *The Tobacco Control Act*;
  - (f) Has an exemption consistent with *The Tobacco Control Act* in relation to outdoor traditional spiritual and cultural ceremonies; and
  - (g) Has an exemption for teaching and testing devices in a vape retail store.
2. That *The Smoking Bylaw, 2017* come into effect on July 15, 2017.
3. That item MN16-12 be removed from the list of outstanding items for City Council.
4. That this report be forwarded to the May 29, 2017 meeting of City Council for approval.

*EXECUTIVE COMMITTEE - APRIL 12, 2017*

The Committee adopted a resolution to concur in the recommendation contained in the report.

Mayor Michael Fougere, Councillors: Andrew Stevens (Chairperson), Sharron Bryce (teleconference), John Findura, Jerry Flegel, Bob Hawkins, Jason Mancinelli, Joel Murray and Mike O'Donnell were present during consideration of this report by the Executive Committee.

The Executive Committee, at the **PRIVATE** session of its meeting held on April 12, 2017, considered the following report from the Administration:

RECOMMENDATION

1. That City Council approve the development of a new smoking bylaw to replace the existing *Smoking Bylaw*, as further described in this report, which:
  - (a) Prohibits smoking and vaping on outdoor seating areas of restaurants, bars and similar establishments;
  - (b) Prohibits smoking and vaping at outdoor public events on City of Regina (City) owned or controlled land;
  - (c) Prohibits smoking and vaping at and within a 10 metre buffer zone of City owned outdoor recreational facilities including playgrounds, spray pads, swimming pools, skating rinks, skate parks, off-leash areas, picnic tables, picnic shelters, gazebos, exercise facilities, track facilities, open-air stadiums and sports facilities, hard surface courts and athletic fields (including spectator seating areas);
  - (d) Prohibits smoking and vaping within a 10 metre buffer zone of entrances, windows and air exchanges of public buildings;
  - (e) Prohibits vaping in enclosed public places where smoking is prohibited under *The Tobacco Control Act*;
  - (f) Has an exemption consistent with *The Tobacco Control Act* in relation to outdoor traditional spiritual and cultural ceremonies; and
  - (g) Has an exemption for teaching and testing devices in a vape retail store.
2. That *The Smoking Bylaw, 2017* come into effect on July 15, 2017.



3. That item MN16-12 be removed from the list of outstanding items for City Council.
4. That this report be forwarded to the May 17, 2017 public meeting of the Executive Committee and the May 29, 2017 meeting of City Council.

## CONCLUSION

Through a Notice of Motion (MN16-12), City Council directed the Administration to conduct public consultation to determine the level of public interest in changing *The Smoking Bylaw, No. 10167* to enhance the restriction of smoking in public places and restricting the use of e-cigarettes or vapourizers (vaping). The public consultation showed a desire to strengthen outdoor smoking regulation particularly with respect to outdoor seating areas and children's recreational spaces as well as a desire to regulate vaping in these same spaces. This is consistent with the jurisdictional review data collected by the Administration which reflects enhanced regulation of outdoor smoking and vaping to varying degrees by both provinces and municipalities across Canada.

The Administration recommends a new smoking bylaw to replace the existing *Smoking Bylaw No. 10167*. It is recommended that the new bylaw prohibit smoking and vaping on restaurant and bar patios, at public events on City-owned property, and at City-owned outdoor recreational public spaces as outlined in Option 2 of this report. It is further recommended the new bylaw also prohibit vaping in enclosed public spaces where *The Tobacco Control Act* prohibits smoking.

## BACKGROUND

### **Notice of Motion MN16-12**

At the December 19, 2016 meeting, Council directed the Administration, through Notice of Motion MN16-12, that a public consultation process be completed by April 1, 2017 to determine the level of public interest in extending Bylaw No. 10167 to:

1. Restrict smoking in public places, including restaurant and bar patios, playgrounds, fixed seats or bleachers in public venues, sports fields, outdoor concerts or public gatherings on municipal (City) property.
2. Restrict "vaping" or e-cigarette use in public places, including restaurant and bar patios, playgrounds, fixed seats or bleachers in public venues, sports fields, outdoor concerts or public gatherings on municipal property.

The motion also directed that:

3. Administration provide Council with a summary of peer reviewed scientific studies of the effects of second hand smoke from tobacco and vaping and any other studies that the

administration sees as pertinent information for any developing bylaws that originate from this consultation and public discussion.

### **Current Smoking Regulation**

*The Smoking Bylaw* No.10167 was passed in March 2000. These Bylaw restrictions have since been surpassed by more stringent amendments to *The Tobacco Control Act* which took effect on January 1, 2005, which were further amended in 2010. *The Tobacco Control Act* controls the sale and use of tobacco and tobacco-related products in Saskatchewan. The Act prohibits smoking in enclosed public spaces, private vehicles with children under the age of 16, in common areas of multi-unit dwellings, outdoor smoking within three metres of doorways, windows or air intakes of enclosed public places, as well as on school grounds. The definition of enclosed public places includes outdoor bus shelters.

Currently there is no provincial legislation regulating the use of electronic cigarettes (e-cigarettes) and vapourizers (commonly called “vaping”). E-cigarettes are smokeless battery-operated devices that mimic the use of cigarettes. The liquid cartridge (e-liquid), which may contain different amounts of nicotine or no nicotine at all, is converted into vapour. E-cigarettes do not contain tobacco and as such, are not covered under *The Tobacco Control Act*.

## **DISCUSSION**

In response to the Notice of Motion the Administration has completed public consultation through an online survey and two open houses, a jurisdictional review, and collected data on the health effects of smoking and second-hand smoke. A summary of health data is provided in Appendix A. A description of the results of the public consultations and jurisdictional review are summarized below with supplemental material included in the attached Appendices.

### **Results of Public Consultations**

#### *Smoking Bylaw Survey*

A survey was conducted to gauge public support for potential changes to *The Smoking Bylaw*. The survey received over 9,400 completed responses and generated more than 4,300 comments, and 48 emails. Results indicate strong support for revising *The Smoking Bylaw* to regulate smoking in outdoor public places. The results of the 2017 survey and a thematic overview of the comments are attached in Appendix B.

Eighty per cent of respondents indicated that they were a non-smoker or a former smoker, while 14% reported being a smoker. Another 2% of respondents reported other habits, including casual smoking or e-cigarette use. Public health (second-hand smoke) and youth prevention were identified as the top two priorities for survey respondents. Further, these two issues were consistently identified as top priorities in the comments and emails that were submitted in addition to the survey.

Approximately 81% of survey respondents believe the locations where cigarettes, cigars and

pipes can be used should be regulated in a smoking bylaw. Regulations for where e-cigarettes, vapourizers, and hookahs can be used received less support (approximately 67%), however 8% to 10% of respondents indicated they were unsure of their stance on these products.

The survey found strong support for making children's recreation areas (spray pads, playgrounds, and swimming pools) smoke-free, with 88% of respondents indicating that smoking should be prohibited in these locations. Sixty-nine percent of respondents supported making outdoor seating areas of restaurants and bars smoke-free. The majority of respondents supported making other outdoor public places smoke-free, though golf courses (54%) and walking trails (56%) received the least support. A review of the open-ended comments also found a divide in opinion as to whether smoking should be prohibited in open spaces and walking trails.

The results of the 2017 survey are consistent with a June 2015 telephone poll of 564 Regina residents commissioned by Canadian Cancer Agency, Lung Association of Saskatchewan, Regina Qu'Appelle Health Region (RQHR), and the Heart and Stroke Foundation (refer to page 4, Appendix C). The poll found that 70% of respondents support a bylaw making outdoor patios smoke-free. More than half (56%) indicated they would avoid a restaurant or bar that allows smoking on its outdoor patio. Similar to the results of the City's 2017 survey, the telephone poll found 68% of residents support smoke-free municipal property used for public gatherings such as festivals, concerts or exhibitions.

### *Open Houses*

On March 8 and 9, 2017 the Administration held public meetings to provide information and garner feedback in regards to potential changes being considered for *The Smoking Bylaw*. The meeting on March 8 was targeted at businesses, venues, and event organizations. The meeting on March 9 was intended for the general public. Results from the open houses are attached in Appendix D. Fourteen individuals attended on March 8 and 17 attended on March 9. It should be noted that in-person attendance was low, and the opinions shared should not be considered representative of all business owners and the general public.

Consistent with the results of the survey, public health was cited as the primary concern by those in support of fully prohibiting smoking and tobacco alternatives. The majority of comments were in favour of banning smoking in public places. Even among self-identified smokers there was strong support for banning smoking and alternate tobacco products in areas where primarily children would be present (such as playgrounds, spray pads, recreational facilities). Common courtesy was mentioned repeatedly by those who thought some outdoor public places should allow smoking. Open parks and/or walking trails were other areas that received some support for allowing smoking, even among self-identified non-smokers.

A majority of participants were in support of prohibiting smoking on outdoor seating areas of restaurants and bars, and at festivals. There was some support for having smoking in designated areas at 'open air' events where people are spread out and food is not present/being served. There was mention of exempting private clubs from regulation.

Business owners included those who own stores that sell cigars, vapourizers, e-cigarettes, and vaping accessories. There was a belief among these stakeholders that there is a distinction to be made between these products and cigarettes. Individuals who utilize vapourizers or alternative tobacco products were vocal about these as harm-reduction tools and expressed the need to be able to test the product for functionality and flavour in those commercial establishments. This was noted as essential by proponents.

## **Jurisdictional Review**

As well as the outcomes of public and stakeholder consultations, this report contains analysis of what other municipalities have done to:

1. Regulate smoking beyond those restrictions provided for in provincial legislation
2. Create regulations regarding smoking in outdoor public places
3. Address “vaping” and other non-smoking activities
4. Enforce smoking and vaping restrictions

Appendix E provides a summary of selected provincial and municipal smoking regulations.

### *Saskatchewan*

In Saskatchewan, four municipalities have enacted bylaws with more stringent requirements than *The Tobacco Control Act*. The City of Saskatoon prohibits smoking and vaping in all outdoor public places, essentially only permitting smoking and vaping on sidewalks, streets and private homes. Warman, Martensville, and Estevan prohibit smoking and vaping within 10 metres (5 metres in Estevan) of any recreational activity area (e.g., parks, playgrounds, spray pads, sports fields). Smoking and vaping on outdoor seating areas of restaurants and licensed establishments is prohibited in Saskatoon, Martensville, and Warman.

### *Regulation of Outdoor Smoking in Canada*

There are numerous examples of Canadian jurisdictions that have regulated smoking in the outdoor seating areas of restaurants and bars. At a provincial level, six provinces and one territory have legislation prohibiting smoking in outdoor seating areas. In provinces where such legislation is not in place, several municipalities have enacted bylaws to prohibit smoking in outdoor seating areas. The only two major Canadian cities that have not prohibited smoking on outdoor patios of bars and restaurants are Winnipeg and Regina.

In many parts of Canada, there has been a move to expand smoking restrictions to outdoor public

and workplace environments such as entranceways to public buildings, public parks, recreational activity areas, athletic fields and cultural events. Several municipalities currently have smoke-free public parks and recreational activity areas. A growing number of prominent outdoor cultural events and festivals, including the Calgary Stampede and Ottawa Bluesfest, have become smoke-free, though in some cases with the provision of outdoor designated smoking areas.

### *Regulation of E-Cigarettes*

While the implementation, sale and advertising of e-cigarettes containing nicotine is regulated federally by the *Food & Drugs Act*, legislation is not currently enforced and e-cigarettes containing nicotine are easy to obtain in Canada. There are no federal restrictions on the sale and import of e-cigarettes that do not contain nicotine. Nearly all Canadian provinces, excluding Alberta and Saskatchewan, have introduced provincial regulations around the sale and use of e-cigarettes. A growing number of municipalities are adopting bylaws or modifying their smoking policies to further prohibit or restrict vaping in outdoor public places. In Saskatchewan, municipalities that have adopted smoking bylaws prohibit the use of e-cigarettes and vapourizers anywhere cigarettes and other lighted tobacco products are prohibited.

### *Enforcement Strategies*

Jurisdictions across Canada have successfully regulated outdoor smoking by adopting enforcement strategies that balance public education, signage, voluntary compliance, inspection, and fines for offences when necessary. While not all bylaws have been formally evaluated, a number of studies have demonstrated that smoking bylaw enforcement has not been difficult and compliance is not a significant issue. Municipalities report either no increase in complaints following bylaw implementation, or minimal complaints that require corrective action.

Studies have found that through public education and signage, voluntary compliance rates tend to be high with few enforcement issues. In Bridgewater, Nova Scotia a survey of a random sample of 301 residents demonstrated that, following the introduction of the smoke-free bylaw in outdoor spaces in September 2008, the majority of people (86%) who were aware of the smoke-free outdoor bylaw said they were compliant with the bylaw. A 2010 survey of smokers in Woodstock, Ontario found a significant reduction in self-reported smoking in parks, recreational fields, in doorways, and around transit shelters one year after bylaw implementation.

Smoking bylaws in other jurisdictions typically include signage requirements, where every proprietor of a place or premises where smoking is prohibited is required to prominently display signs that include a depiction of the international “no smoking” symbol. Outdoor seating areas in restaurants and licensed premises have been smoke-free in Saskatoon since 2004. Saskatoon

Health Region Public Health Services conducted 914 inspections in 2005 within a year after the new bylaw came into effect. Of those establishments inspected only 13 required an initial warning for non-compliance with regard to signage requirements. Re-inspection resulted in only one ticket issued in the first year.

### **Recommended Bylaw Requirements**

*The Tobacco Control Act* prohibits smoking in enclosed public spaces, private vehicles with children under the age of 16, in common areas of multi-unit dwellings, outdoor smoking within three metres of doorways, windows or air intakes of enclosed public places and on school grounds. There is no requirement that municipalities impose any other smoking regulation; however, municipalities are explicitly empowered under *The Tobacco Control Act* to create a stricter regulatory scheme.

It is recommended that Regina adopt a new smoking bylaw that:

- i) restricts outdoor smoking and vaping in the same places;
- ii) defines smoking in relation to the act of smoking and not to the substance being smoked;
- iii) prohibits smoking and vaping on outdoor seating areas such as patios;
- iv) prohibits smoking and vaping at outdoor public events;
- v) prohibits smoking within 10 metres of doors, windows and air exchanges of public buildings;
- vi) provides limited exceptions, as described below; and,
- vii) prohibits smoking and vaping at outdoor recreational facilities.

Each of these subject areas is explained in further detail below. As the regulation of smoking outdoors is more complex in terms of scope, the various options that were considered have been further detailed.

#### *i) Regulating the use of e-cigarettes and similar products*

The Administration is recommending that any bylaw provisions that apply to smoking apply to vaping and the use of e-cigarettes. Due to the gap in the regulation of vaping and e-cigarettes that this would create regarding enclosed public places, the Administration is also recommending that vaping be prohibited in enclosed public places where smoking is currently prohibited under *The Tobacco Control Act*, with the exception of vape retail stores as described below. The similar regulation of vaping and smoking is the practice in many other municipalities across Canada, including Saskatoon, Warman, Martensville and Estevan. This recommendation is also supported by the results of the City's 2017 survey.

ii) *Definition of “smoking” and “vaping”*

It is recommended that the definitions of “smoking” and “vaping” address the acts of smoking or vaping, not the substance being smoked or vaped. This is a common approach in many municipalities as it prohibits the behaviour in specified areas rather than concerning itself with specific substances. A broad definition of “smoking” will allow for the regulation of use of substances other than tobacco. Attempting to create an exhaustive list of prohibited substances creates opportunities for loopholes and opens up challenges from an enforcement perspective.

iii) *Prohibiting Smoking in Outdoor Seating Areas*

It is recommended that smoking and vaping be prohibited on outdoor seating areas of bars and restaurants. Implementing a smoking ban on outdoor seating areas, where people are in close proximity to one another, protects individuals from the health risks and nuisance related to outdoor smoking and vaping. Staff in restaurants and bars where outdoor smoking on patios is permitted are at high risk of continuous exposure to second-hand tobacco smoke during working hours. Regina is one of only two major Canadian cities that has not introduced such regulation.

It is recommended that these provisions require an owner or operator of a bar or restaurant to provide signage at outdoor seating locations regarding the prohibition of smoking and vaping as well as not to permit any person to smoke or vape in their establishment.

iv) *Prohibiting Smoking at Outdoor Public Events*

The Administration recommends that smoking and vaping be prohibited on city-owned, operated, and/or leased property during outdoor public events. Any exemptions to allow designated smoking areas would have to be approved by City Council. The City’s 2017 Survey found 69% of respondents support making outdoor markets, exhibitions, and festivals smoke-free. Proximity to second-hand smoke in dense crowds, presence of children, and the health of volunteers and staff during public events were raised as concerns during public engagement. This attitude reflects a growing trend in Canada to make cultural events and festivals smoke-free. The Regina Folk Festival has indicated that smoke-free restrictions have been well-received and achieve high levels of compliance through signage and public self-regulation.

v) *Expansion of buffer zone*

*The Tobacco Control Act* currently provides a three metre exclusion zone, or buffer, around the entranceways, windows, and air intakes of public buildings. Public health research indicates that smoke levels do not approach background levels for fine particles or carcinogens until at least 7 metres from the source. The Canadian Cancer Society suggests that a minimum 9 metre buffer is best practice. The Administration is recommending a 10 metre buffer zone taking into account the 9 metre recommended minimum and because many city-owned facilities already prohibit smoking within a 10 metre buffer by policy.

vi) *Exceptions*

Traditional Spiritual and Cultural Ceremonies - *The Tobacco Control Act* includes an exemption

for the smoking of tobacco in traditional aboriginal ceremonies. It is recommended that the City's bylaw include an exemption in relation to outdoor spaces for any traditional spiritual or cultural ceremonies.

Vape Retail Stores - It is recommended that the bylaw include an exemption to allow vaping in e-cigarette retail stores for the purposes of training and testing products. This exemption is strongly advocated by vape retailers in order to provide safety demonstrations and education on the proper use of vaping technology. This exemption was adopted as an amendment to Saskatoon's Smoking Control Bylaw in 2015 and similar exemptions exist in Edmonton and Calgary. The Administration is recommending that Regina's Smoking Bylaw contain a limited exemption for these purposes only.

*vii) Prohibiting Smoking in Outdoor Public Spaces*

With respect to the regulation of outdoor public spaces, the Administration has considered the following options and is recommending Option 2:

1. Maintain the status quo; no enhancement of current provincial restrictions;
2. Restrictions focused on areas most strongly supported as indicated by public consultation; and,
3. Blanket restriction on outdoor smoking.

**Option 1 - Maintain status quo**

The City of Regina currently prohibits smoking in a number of city-owned outdoor recreational spaces. Past efforts to expand smoking prohibitions have been done through amendments to the policies that guide the use of City facilities.

*Advantages:* Current smoking restrictions are imposed as terms and conditions of use of various City facilities but it would not be illegal to smoke in these spaces.

*Disadvantages:* The enforcement options for a policy initiative are more limited. People may be less likely to voluntarily comply when the prohibition and consequences are less obvious.

Based on the survey responses supporting further smoking restrictions, the known health effects of second-hand smoke, and the progression of other jurisdictions across Canada toward greater restrictions on smoking the Administration is not recommending this option.

**Option 2 - Prohibit Smoking and Vaping at outdoor recreational facilities**



### **(Recommended Option)**

It is the recommendation of the Administration that the new Smoking Bylaw prohibit smoking at city-owned outdoor recreational facilities and within a 10 metre buffer zone of these facilities. This would include playgrounds, spray pads, swimming pools, skating rinks, skate parks, off-leash areas, picnic tables, picnic shelters, gazebos, exercise facilities, track facilities, open-air stadiums and sports facilities, hard surface courts and athletic fields (including spectator seating areas). Not included would be open areas including parks or open space areas away from recreational facilities, golf courses and multi-use pathways.

*Advantages:* This option achieves the goal of protecting children from exposure to second-hand smoke and reduces normalization of smoking by removing smoking and vaping from areas where children gather, while providing some options for smokers in areas where proximity to second-hand smoke is less likely to be an issue. This option is expected to achieve the highest level of compliance with the bylaw given that the restrictions match closest to public readiness.

*Disadvantages:* A defined distance of 10 metres may create confusion with a setting since the property boundary may be unclear. This option may create additional public education and enforcement challenges in order to be clear on which areas are included in the prohibition. Consistent messaging will be required to educate the public on the specific public places where smoking is prohibited.

The Administration is recommending this option as it aligns closest with the majority of other municipal smoking bylaws and matches current levels of public support for smoke-free recreational activity areas, particularly where children are present.

### **Option 3. Prohibit Outdoor Smoking in all City-Owned Outdoor Public Spaces**

This option would make smoking illegal in all city-owned public spaces that are not roads or sidewalks. Included in the ban would be parks and open spaces, multi-use pathways, golf courses, and plazas.

*Advantages:* This option provides a strong stance on protecting residents from exposure to second-hand smoke and smoking behaviour. Saskatoon and a number of other municipalities across Canada impose similarly robust restrictions on what is meant by public space. Public education would be simplified with a clearer message on restrictions.

*Disadvantages:* The expectation is that people will only be able to smoke outside while at home, on the sidewalk or in the street, which could be unrealistic and create enforcement challenges that exceed capacity. Introducing a blanket restriction on smoking in public spaces would be a significant change for Regina, given current smoking allowances, and may not be as strongly supported by the public.

This option is not recommended at this time due to the need to balance public policy with the public's readiness to accept and comply with smoking bylaw regulations.

## **Enforcement**

The main focus of enforcement will be on voluntary compliance through education, awareness and signage. This has been the primary enforcement strategy in the majority of jurisdictions with smoking bylaws and has proven to be successful. Public education is necessary to ensure due diligence by the City in making the public aware of the locations where smoking is prohibited. Signage in locations where smoking will be prohibited, on city-owned property and businesses with outdoor seating areas, is recommended both to aid in the prosecution of violations and to encourage the public to self-regulate smoking habits.

The Administration is proposing a bylaw implementation date of July 15, 2017 to provide sufficient time to do public education, and to allow City facilities and businesses to comply with bylaw requirements.

*The Tobacco Control Act* is currently enforced by RQHR. Public health inspectors conduct complaint-driven investigations or spot inspections related to various matters of public health in enclosed public spaces, school grounds, public swimming pools, spray pads, outdoor seating areas of restaurants and bars, and at over 40 public events. The Administration has confirmed that RQHR will continue to partner with the City to provide enforcement of smoke-free and vape-free spaces in areas where RQHR currently conducts inspections (see Appendix F).

Regina Police Service has indicated that enforcement of a smoking bylaw would be incidental to current police duties.

## **RECOMMENDATION IMPLICATIONS**

### **Financial Implications**

Public education for the new bylaw is summarized in the Communications section below. The cost can be absorbed into the 2017 budget.

The Administration conducted a review of signage requirements for the new smoking bylaw. It was determined that smoking restriction messaging could be incorporated into existing signage at most outdoor recreation facilities at a cost that can be absorbed into the budget for 2017.

As there are no enhanced levels of enforcement required at this time, there are no anticipated direct costs associated with this report.

### **Environmental Implications**

The recommendations provided in this report address concerns of second-hand smoke pollution

in outdoor environments.

### Policy and/or Strategic Implications

The recommendations in this report support Design Regina - Official Community Plan policies for Parks, Recreation, and Open Space. The Regina Smoking Bylaw, as proposed in this report integrates public health and safety considerations into the terms of use for city-owned recreation facilities.

### Other Implications

Wascana Centre is a separate legal jurisdiction from the City of Regina. The City's bylaws do not apply within Wascana Centre and the City does not have jurisdiction to do any enforcement in Wascana Centre. Due to the 2017 provincial budget, the Wascana Centre Authority (WCA) Act will be repealed and the Provincial Capital Commission will take over management of the Centre by the end of this session. The Administration held a consultation with representatives from the WCA on March 30, 2016. It is the Administration's understanding that WCA intends to adopt a bylaw regarding smoking, which would substantially adopt the provisions of the City's smoking bylaw, prior to their dissolution. The Administration will continue to communicate with the governing body of Wascana Centre to ensure consistency between the smoking bylaws.

### Accessibility Implications

None with regards to this report.

## COMMUNICATIONS

### *Communications Strategy*

Targeted, direct communication to restaurants/licenced establishments to communicate changes is planned. The primary mediums to communicate with residents will be:

- Earned media (news release)
- City Page print advertising (Leader Post)
- City of Regina social media (sponsored Facebook post)
- Regina.ca (the primary source of information for Regina residents)

Signage in public spaces where smoking is not allowed will guide and inform residents on the new bylaw following the initial announcement. Content on Regina.ca will be promoted regularly for an extended period before and after the bylaw is enacted to remind residents of the changes. RQHR has also committed to partnering with the City of Regina to deliver consistent messaging and education regarding a new smoking bylaw.

DELEGATED AUTHORITY

The recommendations in this report require City Council approval.

Respectfully submitted,

EXECUTIVE COMMITTEE

A handwritten signature in black ink, appearing to read 'Jim Nicol', written in a cursive style.

Jim Nicol, Secretary

## Appendix A - Health effects of tobacco use, second-hand smoke, and e-cigarettes

### *Tobacco Use*

On average, compared to people who have never smoked, smokers suffer from more health problems and ultimately have a life expectancy 10 years shorter than non-smokers. In Canada, tobacco use is the leading cause of preventable death. Every year 37,000 Canadians die of tobacco-related illnesses, including cancer, heart disease, stroke, and respiratory illness. In Saskatchewan, tobacco use accounts for 18% of all deaths. Table 1 provides a summary of the health effects of tobacco use and second-hand smoke exposure for both non-smokers and smokers.

### *Second-hand smoke*

Second-hand smoke comes from burning tobacco products and from exhaled tobacco smoke. Cigarette smoke contains thousands of chemicals and chemical compounds, of which 69 have been identified as cancer-causing. Health Canada, the US Surgeon General and the World Health Organization have determined that there is no safe level of exposure to second-hand smoke. Studies have found that fine particulate matter in second-hand smoke does not dissipate until 7 metres from the source in outdoor settings. Under windy conditions, high levels of smoke pollution can be detected as far away as 9 metres from a burning cigarette.

Groups that are at particular risk from second-hand smoke include pregnant women and unborn babies, infants and children. Health Canada conservatively estimates that approximately 800 non-smokers in Canada die each year from lung cancer and heart disease caused by exposure to second-hand smoke.

Table 1. Health risks associated with smoking and exposure to second-hand smoke

<b>All people who smoke are at increased risk for:</b> <ul style="list-style-type: none"><li>• problems with their heart and blood vessels</li><li>• certain types of cancers</li><li>• lung and respiratory problems</li><li>• other health issues</li><li>• premature death</li></ul>	<b>Female smokers are also at increased risk for:</b> <ul style="list-style-type: none"><li>• cancer of the cervix</li><li>• menstrual problems</li><li>• fertility problems</li><li>• premature delivery</li><li>• having a low birth weight baby</li></ul>
<b>People exposed to second-hand smoke are at increased risk for:</b> <ul style="list-style-type: none"><li>• heart problems</li><li>• lung cancer</li><li>• breathing problems (like more severe asthma)</li><li>• excessive coughing</li><li>• throat irritation</li><li>• premature death</li></ul>	<b>Children exposed to second-hand smoke are at increased risk for:</b> <ul style="list-style-type: none"><li>• respiratory illnesses</li><li>• more frequent and more severe asthma attacks (among children with asthma)</li><li>• ear infections</li><li>• phlegm, wheezing, and breathlessness</li><li>• decreased level of lung function</li></ul>

## *E-Cigarettes*

Currently, there lacks scientific consensus on the health effects of e-cigarette use and second-hand exposure to vapour. There is evidence to suggest that exhaled vapour from e-cigarettes is not emission-free; however, researchers generally agree that the health impacts associated with exposure to vapour are significantly lower than exposure to second-hand smoke.

A number of e-cigarette manufacturers have marketed their products as smoking cessation aides; however, e-cigarettes have not been approved or regulated for this use in Canada. The types or concentrations of chemicals used in e-cigarette devices vary widely based on the brand. A study published in *Environmental Health Perspectives* found that some brands contain toxic chemicals including diacetyl, which has been linked to lung disease, and formaldehyde. The researchers of the study concluded that further evaluation is necessary to determine the risks of exposure to the chemicals inhaled in e-cigarette use.

E-cigarettes containing nicotine are regulated federally under The Food and Drug Act, though they are easily purchased in the United States or online. E-cigarettes that do not contain nicotine and do not claim to be smoking cessation aides can be imported, advertised and sold in Canada without restrictions. The 2015 Canadian Tobacco, Alcohol and Drugs survey found that 18% of people who have ever used an e-cigarette were unsure if their last e-cigarette contained nicotine.

Studies have shown that e-cigarettes are particularly appealing to youth, even among those who have never used tobacco products. One in four youth aged 15 to 19 has tried an e-cigarette device at least once (see Table 2). In comparison, only 11% of adults over the age of 25 years report that they have ever tried an e-cigarette. Flavoured e-liquids that do not contain nicotine are particularly attractive to youth and are not currently regulated under *The Food and Drug Act*. There are concerns that vaping products could potentially lead to nicotine addiction, the use of tobacco products and the normalization of smoking behaviours. A 2016 study published in the peer-reviewed journal *Pediatrics* found teens that used e-cigarettes were six times more likely to try cigarettes compared to teens who have never tried e-cigarettes. In December 2016, the US Surgeon General concluded that e-cigarette use among youth is strongly associated with the use of other tobacco products.

Table 2. Selected e-cigarette statistics from Canadian Tobacco, Alcohol & Drugs survey

<b>Statistic</b>	<b>Measure</b>	<b>Year of Measurement</b>
Youth aged 15-19 who reported having tried an e-cig	20%	2013
Youth aged 15-19 who reported having tried an e-cig	26%	2015
Canadians who reported having tried an e-cig (all ages)	13%	2015
Reported the last e-cigarette used contained nicotine (all ages)	48%	2015
Reported the last e-cigarette used did not contain nicotine (all ages)	35%	2015
Reported unsure if the last e-cigarette used contained nicotine (all ages)	18%	2015






## Appendix B - Smoking Bylaw Consultation

From February 24 to March 16, 2017, an online survey was available on Regina.ca/smoking. The survey was one of three means for the City to receive feedback from residents on outdoor smoking. The number of respondents far exceeded expectations and was the highest number of surveys completed in recent memory as follows:


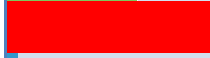

- 9,449 completed surveys
- 11,000 submitted surveys
- 4,302 comments received
- 86 per cent completion rate
- just over 19 minutes to complete

About 80 per cent of respondents are long-term Regina residents (more than 10 years), from all areas of the City, including 1,228 identifying as being from central Regina. Respondents were also a wide range of ages, including 6.7 per cent 18-24 and 24.8 per cent 25-34 (the largest group). The gender breakdown included 59 per cent identifying as female and 38 per cent as male.

### Do you identify as a:

Response	Chart	Percentage	Count
Smoker		14.4%	1558
Non-smoker		56.7%	6117
Former smoker		23.6%	2546
Prefer Not to Answer		3.2%	340
Other		2.1%	229
		<b>Total Responses</b>	<b>10790</b>

### Select your gender:

Response	Chart	Percentage	Count
Male		37.5%	3572
Female		59.0%	5615
Prefer not to answer		3.3%	314
		0.2%	19
		<b>Total Responses</b>	<b>9520</b>

Please select your age range:

Response	Chart	Percentage	Count
Under 18		0.6%	58
18-24		6.7%	607
25-34		24.8%	2257
35-44		22.9%	2090
45-54		18.5%	1684
55-64		16.8%	1535
65 and over		8.3%	759
Prefer Not to Answer		1.4%	126
Total Responses			9116

Now, when you think about smoking and the Smoking Bylaw, which issues do you think should be prioritized? Please rank each of the following issues:

	Most Important	Second	Third	Fourth	Fifth	Sixth	Seventh	Least Important	Total Responses
Public health (second hand smoke)	5994 (60.8%)	1650 (16.7%)	583 (5.9%)	426 (4.3%)	302 (3.1%)	246 (2.5%)	211 (2.1%)	441 (4.5%)	9853
Youth smoking prevention	4012 (40.6%)	3637 (36.8%)	1037 (10.5%)	457 (4.6%)	260 (2.6%)	158 (1.6%)	150 (1.5%)	176 (1.8%)	9887
Environmental factors (reducing litter)	1208 (12.3%)	1352 (13.8%)	2725 (27.8%)	1563 (15.9%)	1005 (10.3%)	680 (6.9%)	585 (6.0%)	685 (7.0%)	9803
Enforcement and associated costs	902 (9.2%)	765 (7.8%)	1189 (12.2%)	1941 (19.9%)	1619 (16.6%)	1262 (12.9%)	943 (9.7%)	1136 (11.6%)	9757
Fire prevention	1203 (12.3%)	790 (8.1%)	1226 (12.5%)	1730 (17.7%)	2038 (20.9%)	1262 (12.9%)	851 (8.7%)	672 (6.9%)	9772
The right to smoke outside	1771 (18.0%)	671 (6.8%)	497 (5.1%)	459 (4.7%)	477 (4.9%)	726 (7.4%)	795 (8.1%)	4427 (45.1%)	9823
Economic impact on businesses	695 (7.1%)	653 (6.7%)	670 (6.8%)	878 (9.0%)	985 (10.1%)	1561 (16.0%)	2411 (24.6%)	1930 (19.7%)	9783



Restrictions as a motivator for smokers to quit or cutback

987 (10.1%)	705 (7.2%)	1176 (12.0%)	1056 (10.8%)	1008 (10.3%)	1280 (13.0%)	1371 (14.0%)	2237 (22.8%)	9820
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## Tobacco Alternatives

	Treat the same	Treat differently	Not sure	Total Responses
E-cigarettes	6981 (71.0%)	2108 (21.5%)	738 (7.5%)	9827
Vapourizers	6798 (69.2%)	2218 (22.6%)	803 (8.2%)	9819
Hookah (water pipes)	6568 (66.9%)	2026 (20.7%)	1217 (12.4%)	9811

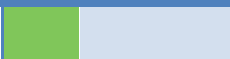
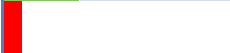

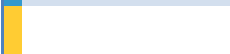


## Do you think the Smoking Bylaw should regulate the locations where the following items can be used?

	Yes	No	Not sure	Total Responses
Cigarettes	7923 (80.5%)	1767 (18.0%)	147 (1.5%)	9837
Cigars	8042 (81.9%)	1599 (16.3%)	177 (1.8%)	9818
Pipes	7927 (80.8%)	1633 (16.6%)	249 (2.5%)	9809
Hookah or Water Pipes	6925 (70.7%)	1873 (19.1%)	997 (10.2%)	9795
Electronic Cigarettes (E-Cigs)	6560 (66.9%)	2510 (25.6%)	742 (7.6%)	9812
Vapourizers (Vapes)	6511 (66.4%)	2493 (25.4%)	795 (8.1%)	9799
Other smoking products or substances (e.g. marijuana)	8090 (82.5%)	1280 (13.0%)	442 (4.5%)	9812




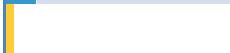


## On average, how often do you dine out or frequent restaurants/bars in Regina?

Response	Chart	Percentage	Count
Once a week		44.7%	4389
1-3 times per month		40.5%	3978
Less than once per month		13.5%	1326
Haven't dined out in the last year		1.3%	123
		<b>Total Responses</b>	<b>9816</b>

Several cities and provinces require outdoor patios of restaurants and bars to be smoke-free. Currently, Regina does not have this requirement. How strongly would you support or oppose a City of Regina bylaw that would make these outdoor patios smoke-free?

Response	Chart	Percentage	Count
Strongly oppose		21.5%	2066
Somewhat oppose		5.2%	501
Neutral		4.1%	393
Somewhat support		4.6%	438
Strongly support		64.3%	6178
Not Sure		0.3%	25
		<b>Total Responses</b>	<b>9601</b>

When choosing a restaurant or bar with an outdoor patio, how likely or unlikely are you to avoid an establishment that allows smoking?






Response	Chart	Percentage	Count
Very likely to avoid		49.4%	4747
Somewhat likely to avoid		14.2%	1365
Neutral		9.0%	864
Somewhat unlikely to avoid		2.9%	281
Very unlikely to avoid		24.0%	2306
Not Sure		0.4%	40
		<b>Total Responses</b>	<b>9603</b>

Should these public places be made smoke-free in the Smoking Bylaw? (In Regina, most City facilities already disallow smoking inside the fences of public pools, athletic fields and other recreational areas but the current bylaw does not legislate that ban.)






	Yes	No	Unsure	Total Responses
Outdoor patios of restaurants or bars	6620 (68.9%)	2703 (28.1%)	282 (2.9%)	9605
Playgrounds	8517 (88.7%)	859 (8.9%)	228 (2.4%)	9604
Parks (e.g. Douglas Park, Rothwell Park, etc)	6254 (65.2%)	2722 (28.4%)	612 (6.4%)	9588
Playing fields (e.g. soccer fields, baseball diamonds)	7440 (77.5%)	1798 (18.7%)	358 (3.7%)	9596

Golf courses	5167 (53.9%)	3225 (33.6%)	1197 (12.5%)	9589
Skateboard parks	7409 (77.4%)	1603 (16.7%)	566 (5.9%)	9578
Spray pads	8341 (87.0%)	927 (9.7%)	319 (3.3%)	9587
Outdoor swimming pools	8424 (87.9%)	1027 (10.7%)	135 (1.4%)	9586
Picnic areas	6490 (67.8%)	2580 (26.9%)	509 (5.3%)	9579
Outdoor markets (e.g. farmer's markets)	7391 (77.1%)	1817 (18.9%)	382 (4.0%)	9590
Outdoor festivals (e.g. FolkFest)	6388 (66.6%)	2682 (28.0%)	517 (5.4%)	9587
Exhibitions/fairs (e.g. Agribition, Queen City Ex)	6326 (66.0%)	2668 (27.8%)	587 (6.1%)	9581
Spectator sports	7395 (77.2%)	1704 (17.8%)	475 (5.0%)	9574
Walking/hiking trails	5402 (56.4%)	3325 (34.7%)	847 (8.8%)	9574
City-owned/operated/leased property where the public gathers	6567 (68.5%)	2196 (22.9%)	824 (8.6%)	9587






**Now we want your opinion on smoking in other outdoor places. In some municipalities, parks, playgrounds and splash-pads are smoke-free. Currently, Regina does not have this requirement. How strongly would you support or oppose a City of Regina bylaw that would make public parks and playgrounds smoke-free?**

Response	Chart	Percentage	Count
Strongly oppose		10.7%	1025
Somewhat oppose		6.6%	633
Neutral		5.1%	487
Somewhat support		9.3%	897
Strongly support		67.9%	6518
Not Sure		0.4%	38
		<b>Total Responses</b>	<b>9598</b>






In some municipalities, athletic fields (i.e. soccer fields, baseball diamonds, bleachers/fixed seating) are smoke-free. Currently, Regina does not have this requirement. How strongly would you support or oppose a City of Regina bylaw that would make such spaces smoke-free?

Response	Chart	Percentage	Count
Strongly oppose		10.3%	993
Somewhat oppose		6.3%	602
Neutral		5.9%	566
Somewhat support		10.1%	970
Strongly support		67.1%	6437
Not Sure		0.3%	32
		<b>Total Responses</b>	<b>9600</b>




Some cities have expanded their Smoking Bylaw to include a smoking-ban on city-owned/operated/leased property used for public gatherings (i.e. festivals and concerts in Victoria Park, exhibition grounds). Currently, Regina does not have this requirement. How strongly would you support or oppose a City of Regina bylaw that would make spaces smoke-free?

Response	Chart	Percentage	Count
Strongly oppose		17.4%	1675
Somewhat oppose		7.2%	691
Neutral		6.3%	609
Somewhat support		9.9%	954
Strongly support		58.6%	5630
Not Sure		0.5%	51
		<b>Total Responses</b>	<b>9610</b>






### Considering all factors, how supportive would you be of revising Regina's Smoking Bylaw?

Response	Chart	Percentage	Count
Very supportive		64.7%	6205
Somewhat supportive		8.6%	823
Neutral		4.2%	407
Somewhat unsupportive		5.6%	542
Very unsupportive		16.2%	1550
Not sure		0.7%	69
		<b>Total Responses</b>	<b>9596</b>









### Are any members of your household under 18 years of age?

Response	Chart	Percentage	Count
Yes		36.6%	3468
No		61.0%	5782
Prefer not to answer		2.3%	221
		<b>Total Responses</b>	<b>9471</b>







### How many years have you resided in Regina?

Response	Chart	Percentage	Count
Less than two years		2.6%	250
2 - 5 years		7.3%	693
6 - 9 years		6.6%	625
10 years or more		79.8%	7599
Prefer not to answer		3.7%	350
		<b>Total Responses</b>	<b>9517</b>

## What is your household income?

Response	Chart	Percentage	Count
Less than \$30,000		3.3%	318
\$30,000 to just under \$45,000		5.1%	489
\$45,000 to just under \$60,000		7.4%	702
\$60,000 to just under \$75,000		7.1%	673
\$75,000 to just under \$90,000		8.7%	827
\$90,000 to just under \$105,000		8.4%	803
\$105,000 and over		33.6%	3198
Prefer Not to Answer		26.4%	2510
		<b>Total Responses</b>	<b>9520</b>

## In what area of the City do you reside?

Response	Chart	Percentage	Count
Northwest		31.0%	2951
Southwest		15.3%	1459
Central		12.9%	1228
Northeast		7.4%	704
Southeast		22.7%	2160
Prefer not to answer		10.7%	1017
		<b>Total Responses</b>	<b>9519</b>

## Open-ended Comments

The Administration received 4302 survey comments and 48 emails related to the smoking bylaw review. Given the volume of feedback submitted, the Administration conducted a cursory scan of a sample of the total comments to identify general issues and concerns raised by the public. Themes (or categories) were identified through a preliminary review. Once general themes were established, 2169 comments (50%) were read by a team of 12 reviewers assembled from internal City staff. The reviewers were instructed to code comments under the themes identified in the table below. Depending on the content, a comment may have been coded under more than one theme. Reviewers were instructed to earmark comments containing identifiable personal information or profanity.

It is important to note this approach lacks scientific rigour and was intended only to provide a high-level summary. Information drawn from this cursory review should be considered supplemental to the survey data.

General Theme	# of Comments
Bylaw Changes to Smoking Restrictions	
Restrict More	948
Restrict Less	173
Maintain Status Quo	359
Key Concerns	
Public Health	404
Children - Exposure	389
Enforcement	250
Litter	161
Effort/money misplaced	154
No right to legislate	128
Lagging behind other jurisdictions	123
Hospital health	104
Service industry health	38
Vaping regulations	
Should treat the same (as smoking)	77
Should treat differently	61
Tobacco Alternatives	
Should treat the same (as tobacco)	59
Should treat differently	20
Designated Smoking Areas	
In favour	256
Opposed	93
Open Spaces/Walking Trails	
Restrict	131
Don't restrict	114

# 2017

## PROTECTING THE HEALTH OF OUR COMMUNITY Smoke-free public spaces



**Submitted by:**

Jennifer May, VP of Health Promotion, **The Lung Association**

Donna Pasiechnik, Manager Tobacco Control, **Canadian Cancer Society**

Fleur Macqueen Smith, Director, Government Relations & Health Promotion, **Heart and Stroke Foundation**

Lynn Greaves, **Saskatchewan Coalition for Tobacco Reduction**



**BREATHE**  
the lung association



Canadian  
Cancer  
Society

Société  
canadienne  
du cancer





## BACKGROUND

Tobacco is a major health issue that needs the attention of municipal leaders. Tobacco use is still the leading cause of preventable death in Saskatchewan and Canada. Every year 37,000 Canadians die of tobacco-related illnesses, including cancer, heart disease, stroke, and respiratory diseases. In Saskatchewan tobacco use kills more than 1,560 people annually (2005), accounting for 18% of all deaths.<sup>1</sup> In addition to those who smoke, others are put at risk through exposure to second-hand smoke (SHS). SHS contains 69 identified carcinogens and is so toxic that the US Surgeon General and the World Health Organization have determined that there is no safe level of exposure.<sup>2</sup>

Tobacco use is also a significant burden on the Saskatchewan economy, costing \$168 million in direct healthcare costs and an additional \$535 million (2008) in indirect costs such as productivity losses due to long and short term disability and premature death.<sup>3</sup>

Municipal leaders have the opportunity to improve the health of their residents at minimal cost by expanding smoke-free bylaws to include outdoor spaces. The body of evidence makes clear that outdoor exposure to second-hand smoke is unsafe.<sup>4</sup> In Canada, almost all indoor workplaces and public places are smoke-free. Seven provinces and territories (Alberta, Ontario, Quebec, New Brunswick, Nova Scotia, Newfoundland and Labrador, Yukon) and dozens of municipalities, including Saskatoon, Warman and Martensville have banned smoking on outdoor patios of restaurants and bars. All 3 communities have also banned the use of electronic cigarettes anywhere smoking is banned.

The *Cities Act* provides municipalities with the legal authority to adopt local bylaws that go beyond the minimum standard set out in the *Tobacco Control Act*. Saskatchewan municipalities have shown leadership in dealing with second-hand smoke. In 2004, the City of Saskatoon was one of the first cities in Canada to ban smoking on outdoor patios.

Regina and Winnipeg now stand out as the only major Canadian cities that do not protect its citizens from second-hand smoke on outdoor patios of restaurants and bars.

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<sup>1</sup> GPI Atlantic, The Cost of Tobacco Use in Saskatchewan, 2009 Janet Rhymes and Ronald Colman

<sup>2</sup> US Dept of Health and Human Services, (2006) The Health Consequences of Involuntary Exposure to Tobacco Smoke: A report of the US Surgeon General <http://www.surgeongeneral.gov/library/reports/secondhandsmoke/fullreport.pdf> Accessed April 23, 2014

<sup>3</sup> GPIAtlantic, The Cost of Tobacco Use in Saskatchewan, 2009 Janet Rhymes and Ronald Colman

<sup>4</sup> Environmental Health Perspectives, Secondhand Tobacco Smoke Exposure in open and semi-open settings: A Systematic Review. <http://ehp.niehs.nih.gov/1205806/> Accessed July 9, 2014

## RECOMMENDATIONS

To prevent harm from SHS (from cigarettes, cigars, pipes, water pipes, marijuana and other smoking products), smoking should be prohibited in specified outdoor places where individuals and families gather, including the following:

- Outdoor areas at bars and restaurants with a buffer zone of at least 7.5 metres around the perimeter of the patio. Buffer zones around patios make them truly smoke-free; for example, Edmonton, Red Deer and Medicine Hat have 10m buffer zones, Whistler, British Columbia has 25m zones;
- Outdoor public events (markets, festivals, exhibitions/fairs, concerts and spectator sports), on any part of a park or other municipal property being used for any public event or activity;
- Municipally owned, operated and/or leased outdoor areas used for public enjoyment and recreation including children's playgrounds/play equipment, playing fields (e.g. soccer pitches, baseball or softball diamonds, football fields, tennis courts, outdoor hockey rinks, lawn bowling, seasonal skating rink/outdoor hockey rinks), golf courses, skateboard parks, water spray pad/parks, outdoor swimming and wading pools, picnic areas, parks or parkland or any land used for leisure or recreation, sports venues, stadiums or sports facilities including spectator/seating areas.
- Prohibit the use of electronic cigarettes anywhere smoking is banned and prohibit smoking of any substance (including through water pipes) anywhere smoking is banned.

## DISCUSSION: WHY IMPLEMENT A SMOKE-FREE OUTDOOR BYLAW?

### Protection from second-hand smoke

Second-hand smoke is extremely toxic. There is no safe level. It contains more than 4,000 chemicals, including 69 that cause cancer. In an outdoor setting, SHS is a health hazard causing immediate short and long term harm to those exposed to it. According to researcher Niel Klepeis from Stanford University:

*"when measured close to a person who is actively smoking, air pollution can reach very high levels that are similar to levels observed for indoor smoking."<sup>5</sup>*

Researchers also found strong evidence that there can be high levels of tobacco smoke pollution in outdoor environments, even under windy conditions, and as far away as 9m from a burning cigarette.<sup>6</sup>

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<sup>5</sup> Original study "Real-Time Measurement of Outdoor Tobacco Smoke Particles" Published in the *Journal of the Air and Waste Management Association* [http://tobaccosmoke.exposurescience.org/system/files/Klepeis\\_OTs\\_Preprint.pdf](http://tobaccosmoke.exposurescience.org/system/files/Klepeis_OTs_Preprint.pdf), Original study "Real-Time Measurement of Outdoor Tobacco Smoke Particles" Published in the *Journal of the Air and Waste Management Association*

<sup>6</sup> RD Kennedy, FT Fong, Evidence to support outdoor smoking restrictions. Presentation to Ottawa Board of Health, 2012 [https://uwaterloo.ca/propel/sites/ca.propel/files/uploads/files/Outdoor%20Smoking%20Restrictions\\_Kennedy%20\(1\).pdf](https://uwaterloo.ca/propel/sites/ca.propel/files/uploads/files/Outdoor%20Smoking%20Restrictions_Kennedy%20(1).pdf)

Children exposed to second-hand smoke are more likely to suffer lung and breathing problems and have an increased risk of developing asthma later in life.<sup>7</sup> Every year more than 800 Canadians who don't smoke die from second-hand smoke.<sup>8</sup>

Smoke-free outdoor places greatly reduce exposure to SHS. A 2012 landmark report comparing cancer risk profiles in 26 Canadian cities found that Saskatoon has the lowest rate of second-hand smoke exposure studied. Regina ranked 16<sup>th</sup><sup>9</sup>. This is most likely due to Saskatoon's smoking bylaw, which has restricted smoking on outdoor patios of restaurants and bars since 2004.

Hospitality workers are exposed to SHS at higher concentrations for longer periods than other workers. Currently, workers in bars and restaurants that work on outdoor patios in Regina are not adequately protected. As long as smoking is permitted on outdoor patios, workers could be exposed to dangerous levels of SHS for long periods of time.

### **Our community supports smoke-free outdoor spaces**

Support for smoke-free outdoor spaces has been steadily increasing among those who smoke and among non-smokers, with the highest support for areas where children play. A June 2015 survey of 564 Regina residents found widespread support for bylaws that restrict smoking in outdoor places including:

- 70% support ban on smoking on all outdoor patios at restaurants and bars;
- 89% support banning smoking on children's playgrounds;
- 75% support banning smoking on all sports fields (e.g. soccer pitchers, baseball diamonds, etc.);
- 84% support ban on smoking in any fixed seating or bleachers; and
- 68% support smoking ban on municipal property used for public gatherings (e.g. festivals, concerts, exhibition grounds, etc.)<sup>10</sup>

### **Smoking restrictions increase the motivation for people to quit or cutback**

Research conducted by Statistics Canada has demonstrated that when smoking bans have been implemented in homes and workplaces, many people who smoke have chosen to cut back or quit entirely.<sup>11</sup> For example, findings from a 2010 survey of residents in Bridgewater, Nova Scotia revealed that more than one in ten (12%) of people who currently smoke said they were trying to quit because of the outdoor smoke-free spaces bylaw that was enacted in 2008.<sup>12</sup>

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<sup>7</sup> <http://www.cancer.ca/en/prevention-and-screening/live-well/smoking-and-tobacco/second-hand-smoke-is-dangerous/?region=sk>

<sup>8</sup> <http://www.hc-sc.gc.ca/hc-ps/tobac-tabac/legislation/label-etiquette/mortal-eng.php>

<sup>9</sup> Population Health in Canada's Largest Cities: A Cancer System Performance Spotlight Report, Sept 2013. Canadian Partnership Against Cancer [http://www.cancerview.ca/idc/groups/public/documents/webcontent/sp\\_pop\\_health\\_report.pdf](http://www.cancerview.ca/idc/groups/public/documents/webcontent/sp_pop_health_report.pdf) Accessed April 23, 2014

<sup>10</sup> Praxis Analytics survey, June 2015 survey Accessed Feb 8, 2016 <http://www.cancer.ca/en/about-us/for-media/media-releases/saskatchewan/2015/copy-of-regina-smoke-free-spaces-poll/?region=sk>

<sup>11</sup> Statistics Canada (2007) Smoking Bans: Influence on Prevalence. Shields M in Health Reports, vol 18, no 3, Aug 22, 2007. Accessed, April 23, 2014 at <http://www.statcan.gc.ca/pub/82-003-x/2006008/article/smoking-tabac/10306-eng.pdf>

<sup>12</sup> Bridgewater Smoke Free Spaces Survey. 2010. Think Well Research, <http://www.smokefreens.ca/site-media/documents/rpt-smoke-free-nova-scotia-bw-outdoor-spaces-study.pdf>

Accessed April 23, 2014

Exposure to smoking on patios of a bar or restaurant is also associated with a lower likelihood of success in a quit attempt. Instituting smoke-free patio regulations may help smokers avoid relapse after quitting.<sup>13</sup>

### **Fewer children and youth start smoking**

Smoking restrictions, both indoor and outdoor, help decrease the social acceptability of smoking and challenge the perception among youth that “everybody smokes.” If children and youth are not exposed to smoking behaviour, they may be less likely to think of it as normal and be able to resist peer pressure.<sup>14</sup> Since most people who smoke start before the age of 18, healthy role modeling is an important risk reduction measure to protect the health of our children and youth.

### **Protects the environment and reduces litter**

Prohibiting smoking in outdoor locations reduces the number of discarded butts and municipal cleanup costs, freeing up taxpayers’ dollars for more worthwhile initiatives. A 2013 litter audit for the City of Edmonton found that cigarette butts accounted for 44% of all small litter.<sup>15</sup> Furthermore, the 2007 Great Canadian Shore Cleanup reported that in Alberta, tobacco related litter outnumbered other types by a ratio of 3:1.

### **Reduces fire risk**

Smoking, particularly in wooded areas, increases the risk of fire. An outdoor smoking bylaw may reduce this risk by controlling the places where smoking is allowed.

### **Smoke-Free outdoor bans do not impact the economy**

In Canada, seven provinces and territories (AB, ON QC, NB, NS, NL, and Yukon) and at least 36 municipalities, including Saskatoon, have adopted laws to prohibit smoking on outdoor patios of bars and restaurants.<sup>16</sup> There is no evidence to suggest a negative economic impact as a result of the bans. Research indicates there are potential economic benefits for businesses that have smoke-free policies. Some of the benefits include reduced insurance and cleaning costs. In addition, employers may also benefit from reduced staff absenteeism, increased productivity and lower insurance premiums associated with a workforce that smokes less and is not exposed to SHS in the workplace. There is also the potential that

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<sup>13</sup> [http://cqct.gc.ca/Documents\\_docs/DOCU\\_2015/DOCU\\_15\\_06\\_22\\_Compendium\\_Etudes\\_FTS\\_exterieure.pdf](http://cqct.gc.ca/Documents_docs/DOCU_2015/DOCU_15_06_22_Compendium_Etudes_FTS_exterieure.pdf), accessed Dec 5, 2016

<sup>14</sup> Song AV, Glantz., Pushing secondhand smoke and the tobacco industry outside the social norm to reduce adolescent smoking. J Adolesc Health. 2008 Accessed April 23, 2014 <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2566746/> Accessed April 23, 2014

<sup>15</sup> City of Edmonton. (2013) The City of Edmonton 2013 Litter Audit Results Summary. Accessed April 23, 2014 <http://www.edmonton.ca/environmental/documents/LitterAudit2013.pdf>

<sup>16</sup> Non-Smokers Rights Association, Smoke-free data base. Accessed June 3, 2014 <http://www.nsra-adnf.ca/cms/page1421.cfm>

non-smokers who were formerly deterred by the smoke will come out.<sup>17</sup> In Regina, 77% of people do not smoke.<sup>18</sup>

According to Lemstra et al. (2008), one year after the implementation of the public smoking ban in Saskatoon, attendance increased at restaurants, pubs, bars and nightclubs. Furthermore, 79% of residents surveyed agreed that "second-hand smoke bothers them and is dangerous, smoking bans are a good idea, and that smoking bans are worthwhile."<sup>19</sup>

## **Smoke-free policies have been good for Regina businesses**

### **O'Hanlon's Irish Pub**

Over the last decade, several Regina businesses have voluntarily designated their outdoor patios smoke-free including one of the city's most popular pubs. "Regina's ready for this. We should've done it a long time ago," says manager Kurtis Tokarchuk.

Nearly 7 months after implementing the ban, Tokarchuk says it's going well. He says it took a few weeks for customers to get used to the idea but after that, it was not an issue. "We're hoping our decision will inspire more Regina businesses to do the same," says co-manager Andrew Shanks.

### **Beer Bros/The Willow**

The owners of Beer Bros. and The Willow in Regina designated their outdoor patios smoke-free when they established their businesses. Greg Hanwell, part owner of both establishments says he and his partners decided to go smoke-free because cigarette smoke interferes with their guest's experiences of "good food, good beer and good wine." According to Mr. Hanwell, the owners and customers do not want to deal with SHS. The owners believe smoking around children sets a poor example and as such, they chose to model healthier behaviours.

Mr. Hanwell says, "I do not buy the argument that smoke-free patios will result in a negative economic impact." He believes his business is busier because they promote a smoke-free environment. In addition to banning smoking, Mr. Hanwell says they do not allow electronic cigarettes on their property either. Both businesses have had no difficulty with enforcement and have not needed smoke-free signage. According to Mr. Hanwell, they have rarely had to tell people more than once not to smoke.

### **Cathedral Social Hall**

Formerly Cathedral Village Free House, the newly renovated Cathedral Social Hall designated itself smoke-free when it opened in 2016. General Manager Matt Dean says most customers preferred a smoke-free patio and would ask if the patio was smoke-free before they were seated. He believes a bylaw banning smoking will eventually be adopted in Regina so he wanted to get ahead of the curves. "We thought we should get with the times," says Dean.

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<sup>17</sup> Ibid

<sup>18</sup> Canadian Institute for Health Information: Health System Performance Indicators, 2016 <https://www.cihi.ca/en/health-system-performance/performance-reporting/new-data-shows-continued-improvements-in-canadas>

<sup>19</sup> Lemstra, M., Neudorf, C., & Opondo, J. (2008). Implications of a public smoking ban. Canadian Journal of Public Health, 99(1), 62-65. Retrieved from <http://www.ncbi.nlm.nih.gov/pubmed/18435394>

## **Regina Folk Festival and Mosaic Stadium**

The popular Regina Festival and Mosaic Stadium are also examples of large venues that thrive despite smoking restrictions. According to Dayle Schroeder, Production Coordinator of the Regina Folk Festival the restrictions have been well received and adhered to through signage, public enforcement, and security guards who provide warnings regarding the smoke-free requirements.

### **Public compliance – an easy sell**

Enforcement of smoking restrictions is often a concern when considering implementing an outdoor smoking ban, but studies show that the fear of issues with compliance exceeds the number of actual problems.

Education of the community is KEY for increasing compliance. People who understand what the restrictions are and why they are in place will be more likely to comply.<sup>20</sup> This can be accomplished through an effective communication strategy. Key messages, along with the support of the stakeholders, will provide up-to-date information and access to cessation supports. This communication strategy may include: signage, presentations, public meetings, and promotional material (e.g. pamphlets, poster, local newspaper ads, municipal/health unit website, social media, etc.).

Many jurisdictions throughout Canada, including entire provinces, have successfully implemented outdoor smoking bans in specified locations. The popularity of these bans proves they are enforceable through public ownership. Once signs are posted prohibiting smoking, members of the public are more comfortable asking a person who is smoking nearby to put out their cigarette.<sup>21</sup>

A 2014 study of 37 municipalities in Ontario with outdoor smoke-free bylaws found that bylaws have not created significant burdens on municipal enforcement staff or on municipal budgets. The implementation, promotion and enforcement of the Ontario bylaws have required municipal staff time and in most cases promotional costs, but these have come from existing budgets and using existing staff.<sup>22</sup>

The City of Woodstock, Ontario, introduced Canada's most comprehensive smoke-free bylaw in 2005 by expanding the existing legislation to include parks, recreational fields, transit environments, patios, doorways and special events. Surveys have shown that public compliance has continued to increase since the ban was implemented.<sup>23</sup>

Experience has also shown that the public is more likely to support and comply with a smoke-free bylaw if they see the benefit. For example, a 2010 survey of 300 individuals in Bridgewater, Nova Scotia found that 86% of residents who were aware of the smoke-free

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<sup>20</sup>Borland, R., Yong, H.-H., Siahpush, M., Hyland, A., Campbell, S., Hastings, G., et al. (2006). Support for and reported compliance with smoke-free restaurants and bars by smokers in four countries: findings from the International Tobacco Control (ITC) Four Country Survey. *Tobacco Control*, 15: iii34-iii41.

<sup>21</sup> Forsythe J. (2010) Smoke-Free Outdoor Public Spaces: A Community Advocacy Toolkit. Ottawa: Physicians for a Smoke-Free Canada. Retrieved from [www.smoke-free.ca/pdf\\_1/Smoke-free outdoor spaces advocacy -sept2010.pdf](http://www.smoke-free.ca/pdf_1/Smoke-free%20outdoor%20spaces%20advocacy%20sept2010.pdf)

<sup>22</sup> <http://tobaccoinduceddiseases.biomedcentral.com/articles/10.1186/1617-9625-12-4>

<sup>23</sup> Kennedy, R. D., Zummach, D., Filsinger, S., & Leatherdale, S. T. (2014). Reported municipal costs from outdoor smoke-free by-laws-experience from Ontario, Canada. *Tobacco Induced Diseases*, 12(1), 4-9625-12-4. doi:10.1186/1617-9625-12-4 [doi]

outdoor bylaw were both compliant and supportive.<sup>24</sup> As more communities implement legislation to prohibit smoking in outdoor areas, levels of support have increased.<sup>25</sup>

A 2016 study of 24 outdoor smoke-free bylaws in British Columbia found that they had a positive impact on communities, had been implemented seamlessly and were not deemed an issue by communities or municipalities. The study also found that the bylaws were implemented largely without significant additional financial or human resources.<sup>26</sup>

## Saskatchewan's experience

### **City of Saskatoon** *Bylaw No. 8286 the Smoking Control Bylaw, 2004*

Saskatoon was the first city in Saskatchewan to ban smoking on outdoor patios in 2004. On January 1, 2016 the city implemented changes to also prohibit smoking or the use of e-cigarettes indoors anywhere smoking is banned, and in outdoor public places owned or operated by the City such as parks, playgrounds, sports fields, spray pads, outdoor and paddling pools, skateboard sites, golf courses, tennis courts, dog parks, public squares and areas around civic buildings.

### **City of Martensville** *Bylaw No. 27-2014 the Smoking Regulations Bylaw*

### **City of Warman** *Bylaw No. 2014-13 A Bylaw to regulate smoking in the City of Warman*

On January 1, 2015 Martensville and Warman were the first Saskatchewan municipalities to adopt a comprehensive outdoor smoking bylaw. The bylaws prohibit the use of e-cigarettes and smoking indoors of any substance where smoking is banned as well as outdoor areas including patios of restaurants and bars, sidewalk cafes, and city owned, operated and leased facilities including parks, playgrounds, and sports fields.

The acting City Manager of Warman, Brad Toth, says the smoking bylaw has been successful and is "one of the few bylaws that people don't complain about". He says signage at all sports fields, parks and playgrounds have resulting in self enforcement.

## KEY PROVISIONS TO INCLUDE IN A BYLAW

Today, Canada's strongest and most comprehensive smoke-free bylaws have definitions of smoking that include water pipes and e-cigarettes. Marijuana should also be considered.

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<sup>24</sup> Thinkwell Research. (2010) Smoke free Nova Scotia Bridgewater smoke free spaces survey. Retrieved from <http://www.smokefreens.ca/current-initiatives/outdoor-spaces-resources/>

<sup>25</sup> Thomson, G., Wilson, N., & Edwards, R. (2009). At the frontier of tobacco control: A brief review of public attitudes toward smoke-free outdoor places. *Nicotine & Tobacco Research*, 11(6):584-590.

<sup>26</sup> Douglas O, Stehouwer L. Outdoor smoke-free ordinances: An assessment of municipal bylaws and enforcement in British Columbia. Manuscript in preparation, Waterloo, Ontario: Propel Centre for Population Health Impact, University of Waterloo. 2016.

## Electronic Cigarettes

Electronic cigarettes (e-cigarettes) are products that deliver nicotine in an aerosol or vapor form. A key difference between e-cigarettes and tobacco cigarettes is that e-cigarettes do not contain tobacco and no combustion takes place when they are used or “vaped”.

Because e-cigarettes do not involve combustion, the vapor contains far fewer toxic chemicals than tobacco smoke, including most of the carcinogens present in tobacco smoke. Health groups recognize the potential benefit that e-cigarettes may provide to Canadians trying to quit smoking, though research in this area is evolving. The long-term health effects of vaping have not been examined and are therefore unknown at this time.<sup>27</sup>

An increasing number of Canadians are trying e-cigarettes, particularly smokers and young Canadians. The latest data found 26% of Canadian youth aged 15-19 reported having tried an e-cigarette, up from 20% in 2013.<sup>28</sup> More than half of Canadian youth trying e-cigarettes have never smoked, which suggests youth are experimenting with e-cigarettes, rather than using them to quit smoking.<sup>29</sup> Results from the 2016 SAYCW Youth Health Survey found that 20% of grade 7-12 students in Saskatchewan reported trying an e-cigarette.<sup>30</sup>

E-cigarettes can also act as a gateway to tobacco addiction. A 2016 Ontario Canadian study found that most youth try e-cigarettes because they were a novelty and ‘cool’ – rarely did they use them to quit smoking. Youth most likely to use e-cigarettes are among the most vulnerable, as reflected by poor health, high stress and low socio-economic status. Studies have also confirmed that most youth were not substituting e-cigs for cigarettes. Instead the odds of using e-cigs were 12 times higher in youth who also smoked.<sup>31</sup>

In an effort to make these products less accessible to youth, 8 provinces and territories (not AB & SK) have banned the sale of e-cigarettes to youth and their use anywhere smoking is banned. The federal government also recently introduced legislation to regulate advertising and promotion packaging, the product itself, and use in federally regulated places where smoking is banned.

Health groups believe these policies will help curb youth experimentation with e-cigarettes and help keep e-cigarettes from re-normalizing smoking behaviours.

Saskatoon, Martensville and Warman have also adopted bylaws that prohibit the use of e-cigarettes where smoking is banned. We encourage the City of Regina to do the same.

## E-cigs as the new Drug Delivery Device?

Vaporizer pens are becoming the new way for drug users to not only get high, but do it discreetly; at times right under the noses of police, parents and teachers. Vapes can be

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<sup>27</sup> Propel Centre for Population Health, Tobacco Use in Canada: Patterns and Trends 2015 Edition [www.tobaccoreport.ca](http://www.tobaccoreport.ca)

<sup>28</sup> Health Canada, 2014-15 Canadian Student Tobacco and Drug Survey

<sup>29</sup> Non-Smokers Rights Association. E-cigarettes: Understanding the Potential Risks & Benefits. 2015. <https://www.nsr-adnf.ca/cms/>.

<sup>30</sup> Saskatchewan Alliance for Youth & Community Well-being 2016 SAYCW Youth Health Survey, Saskatchewan Provincial Report, Grades 7-12

<sup>31</sup> Khoury M, Manhiot C, Fan CPS, et al. Reported electronic cigarette use among adolescents in the Niagara Region of Ontario, CMAJ 2016;188:794-800



used to inhale marijuana (with so smell) warns the Partnership for Drug Free Kids organization.<sup>32</sup> They can also be used to inhale cocaine, heroin, ecstasy, alcohol, and many other illicit drugs.<sup>33</sup>

## **Water pipe smoking/hookah**

Water pipe smoking is a tradition that originated in the Middle East but has been growing in popularity throughout the world and here in Saskatchewan. A typical water pipe has four main components: a head, body, water bowl and one or more hoses. Shisha, which may or may not contain tobacco, is placed in the head of the pipe and covered with perforated tinfoil. A piece of charcoal is placed on top. When the smoker sucks on the hose, a vacuum is created which pulls the smoke down from the head of the water pipe through the hollow body, where it bubbles up through the water bowl and is cooled before being inhaled.

While hookah is sometimes tobacco-free, testing has founded that products labeled tobacco free may, in fact, contain tobacco. Herbal water pipe products do not fall under tobacco legislation, therefore are not currently restricted, allowing youth to purchase and use water pipe products in any location.

Public venues called hookah bars have sprung up across Canada and in Saskatchewan. These establishments expose the public to harmful second-hand smoke and entice youth to experiment with alternative forms of smoking.

The most recent Canadian survey has found that water pipe (hookah) smoking is continuing to rise among youth. The percentage of grade 10-12 Saskatchewan students who had smoked a water pipe in the previous 30 days increased from 6% in 2012-13 to 8% in 2014-2015. The number of students who had at least once smoked a water pipe increased from 10% in 2010-11 to 17% in 2014-2015.<sup>34</sup>

Many people believe that hookah is safe or significantly less harmful than cigarettes. This misperception has been compounded by manufacturer's false or misleading claims regarding "herbal" shisha. A recent literature review on the toxicity and disease risks of water pipe smoke found its smoke contains many of the same toxins found in tobacco smoking, presents the same disease risk known to cause cancer, heart and lung disease, and addiction.<sup>35</sup>

Provincial bans on all water pipe smoking in public places, including of herbal (non-tobacco) water pipe products, have been adopted in QC, NB, NS, PEI and NL. In Alberta, legislating is awaiting proclamation. Many municipal bylaws have also done so, including Martensville,

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<sup>32</sup> Partnership for Drug Free Kids: More People Using E-Cigarettes to Smoke Marijuana; <http://drugfree.org/learn/drug-and-alcohol-news/more-people-using-e-cigarettes-to-smoke-marijuana/>

<sup>33</sup> Medical Xpress; Researchers study the use of e-cigarettes for illicit drugs; 2016. <https://medicalxpress.com/news/2016-06-e-cigarettes-illicit-drugs.html>

<sup>34</sup> Propel Centre for Population Health, In Brief: Waterpipe Use in Sask., 2006-2014/15 Canadian Student Tobacco and Alcohol and Drug Survey

<sup>35</sup> Smoking and Health Action Foundation, Summaries of Waterpipe Research and Evidence that Support Policy Development, March 2015. Available at: [https://www.nsr-aadnf.ca/cms/file/files/SHAF\\_2015\\_Summaries\\_of\\_Waterpipe\\_Research%20Evidence.pdf](https://www.nsr-aadnf.ca/cms/file/files/SHAF_2015_Summaries_of_Waterpipe_Research%20Evidence.pdf)

Warman, Vancouver, Toronto, Ottawa, Windsor, Orillia, Barrie, Peel Region (Mississauga, Brampton, Caledon) Peterborough.

## **Bylaw provisions**

There are a number of provisions to be included in bylaws that will make enforcement easier and restrictions more comprehensive.<sup>36</sup>

- A broad definition of “smoking” will allow regulation of use of substances other than tobacco. “Smoke” or “smoking” means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah water pipe, electronic cigarette, or other lighted smoking equipment that burns tobacco or other weed or substance. (District of West Vancouver Bylaw)
- A reference to more restrictive laws, e.g., “Where there is a conflict between this Bylaw and any other authority regulating, restricting or prohibiting smoking, the more restrictive authority shall prevail to the extent of the conflict.” (Truro Bylaw and Nova Scotia – Smoke free Places Act) OR “If a provision of this by-law conflicts with an Act or Regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.” (Sault Ste. Marie Bylaw)
- Buffer zones of at least 7.5 metres around patios, entrances and exits should be clearly defined and should be the same for all venues. Leading research concludes that fine particulate matter in SHS does not generally dissipate until 7 metres from the source in outdoor settings.
- Reference should be made that the restrictions apply to municipally owned, operated and/or leased property within city limits where the public gathers.
- The bylaw should specify that it shall apply “...whether or not ‘no smoking signs’ are posted.” This will be helpful in cities with limited budgets and a large number of outdoor areas to be covered.

## **SUMMARY:**

Comprehensive tobacco control strategies can improve the overall health of the community as well as significantly reduce tobacco use among both youth and adults. Jurisdictions that have successfully reduced tobacco use have implemented a wide range of programs and policies that prevent youth from starting, protect the health of non-smokers and support people who want to quit. No one organization or level of government can do this alone. It requires a coordinated, sustained effort – one that the City of Regina can play a key role in by further reducing exposure to second-hand smoke and vapor in indoor and outdoor public places.

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<sup>36</sup> Information below taken from Forsythe J. (2010) Smoke-Free Outdoor Public Spaces: A Community Advocacy Toolkit. Ottawa: Physicians for a Smoke-Free Canada. Available at: [www.smoke-free.ca/pdf\\_1/Smoke-free outdoor spaces advocacy -sept2010.pdf](http://www.smoke-free.ca/pdf_1/Smoke-free%20outdoor%20spaces%20advocacy-sept2010.pdf)

## **Appendix D. Public Meetings – Smoking Bylaw Consultation**

On March 8 and 9, 2017 the City of Regina held public meetings to provide information and garner feedback in regards to potential changes being considered for the *Smoking Bylaw No. 10167* (the smoking bylaw). The meeting on March 8 was targeted at businesses and community partners and commercial organizations. The meeting on March 9 was intended for the general public.

Attendance was ~14 individuals on March 8 and ~17 on March 9. These sessions were promoted alongside the online survey through social media, radio, news releases, and public service announcements.

Attendees had the opportunity to participate in a ‘dotmocracy’ (dot-voting – a facilitation method in which participants vote with dot stickers to indicate priorities or preferences); voting; and facilitated discussion.

The majority of business/commercial attendees indicated a central location, concentrated in the downtown and heritage neighbourhoods. The majority of residents who attended the public meeting identified as residents of wards 2 and 3. It should be noted that in-person attendance was low, and the opinions shared should not be considered representative of all business owners and/or the general public.

### **Notable Comments and/or Concerns:**

The majority of comments were in favour of banning smoking in public places. A minority are in support of maintaining the current bylaw as it relates to smoking on patios and at festivals. However, even among self-identified smokers there was strong support for banning smoking/alternate tobacco products in areas where primarily children would be present (such as playgrounds, spray pads, recreational facilities). Common courtesy was mentioned repeatedly by those who thought some outdoor public places should allow smoking. Open parks and/or walking trails were the areas that had some support for smoking, even among self-identified non-smokers.

Notable concerns include the necessity to facilitate ‘vape stores’ in any bylaw changes. Individuals who utilize vapourizers or alternative tobacco products were vocal about these as harm-reduction tools and expressed the need to be able to test the product in those commercial establishments. This was noted as essential by proponents. Litter and small garbage from cigarette butts were also cited as common concerns by the public among both smokers and non-smokers. Public health was cited as the primary concern by those in support of fully prohibiting smoking/tobacco alternatives.

Business owners included those who own stores that sell vapourizers, e-cigarettes, and vaping accessories. There was a belief among these stakeholders that there is a distinction to be made between these products and cigarettes. At the business/commercial meeting and public meeting there was some support for having smoking in designated areas at ‘open air’ events, in which people are spread out and food is not present/being served. There was mention of exempting private clubs from regulation.

Questions in regards to enforcement were common, with frustration being expressed. There was uncertainty among the public as to who is responsible for enforcing bylaw compliance at various facilities. Non-compliance vis-à-vis regulated smoking areas was cited as a frustration for festivals, venues, and hospital areas in particular.

## Dotmocracy Results

*Q: What is the most important factor in reviewing the smoking bylaw?*

	<u>Business</u>	<u>Public</u>
Public health	9	12
Smoking Prevention		
Environment (i.e. litter)		
Fire prevention		
Right to smoke outside	3	1
Economic impact on business	2	
Restrictions to motivate smokers to quit		
Enforcement and associated costs		

*Q: Which local public spaces should be made smoke-free in the bylaw?*

	<u>Business</u>			<u>Public</u>		
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
Restaurant/bar patios	11	5	1	17	1	2
Playgrounds	10	3		8	5	2
Parks	4	5		1	3	
Athletic fields		2		3		3
Golf courses			2		2	
Skateboard parks				1	3	1
Spray pads	1	5		8	1	1
Outdoor swimming pools	6	2	2	2	2	
Picnic areas	1	4			2	
Outdoor markets					4	2
Outdoor festivals		1	4	3		
Exhibitions/Fairs						1
Spectator sports		1		2	2	2
None of the above	3	2	1	6	10	2

## Voting Results

<b>Business/Commercial Session</b>	<b>Yes</b>	<b>No</b>
Should buffer zone be expanded around public buildings?	7	8
Do you ban on decks currently?	0	5
- would it be OK with doing so?	0	6
Should vapes and e-cigs be regulated same as cigs?	7	8
Should hookahs and water be regulated same as cigs?	6	8
Do you currently ban e-cig and vapes in outdoor spaces on your property?	2	8
- If no, would you be OK with doing so?	1	7
Willing to make establishment or event smoke free?	3	8

<b>Public Session</b>	<b>Yes</b>	<b>No</b>
Should buffer zone be expanded around public buildings?	11	6
Should open space be regulated?	14	1
Should athletics fields be regulated?	14	1
Festivals/markets be regulated?	11	5
Outdoor seating areas (patios, decks) be regulated?	10	6
Should alternate (e-cigs, vapes) be regulated as tobacco?	10	6
Should pipes/water pipes be regulated as tobacco?	10	6
Should e-cigs/vapes be banned in outdoor spaces (patios)?	12	5

## Appendix E – Summary of Selected Municipal and Provincial Smoking Regulations

<b>Saskatoon, Saskatchewan</b>	<ul style="list-style-type: none"> <li>• Electronic cigarettes and vaporizers fall under the same provisions as other smoking</li> <li>• Smoking banned on outdoor restaurant patios</li> <li>• Smoking is prohibited in outdoor public places owned or operated by the City including: parks and trails, playgrounds, sports fields, spray pads, outdoor and paddling pools, skateboard sites, golf courses, tennis courts, dog parks, and public squares.</li> </ul>
<b>Martensville and Warman, Saskatchewan</b>	<ul style="list-style-type: none"> <li>• "Nicotine delivery device" includes electronic nicotine devices such as e-cigarettes.</li> <li>• "Smoking" means any lighted smoking equipment that burns tobacco or other substance.</li> <li>• Use of e-cigarettes is prohibited in city-owned, operated, leased facilities and restaurants, licensed premises, and various outdoor facilities.</li> </ul>
<b>Red Deer, Alberta</b>	<ul style="list-style-type: none"> <li>• Definition of "smoking" includes the use of any smoking implement to burn or heat tobacco or any other weed or substance.</li> <li>• Smoking is banned at (but not limited to) outdoor public events, patios, and sidewalk cafes.</li> </ul>
<b>Nova Scotia</b>	<ul style="list-style-type: none"> <li>• Definition of smoking includes waterpipes and electronic cigarettes</li> <li>• Smoking of all weeds and substances, not just tobacco, are prohibited</li> <li>• Smoking prohibited on all outdoor patios regardless of whether they have a roof</li> <li>• Smoking prohibited within 4 metres of licensed outdoor areas, entrances and exits, air intakes and windows of workplaces</li> <li>• Smoking prohibited on school grounds</li> </ul>
<b>Ontario</b>	<ul style="list-style-type: none"> <li>• Electronic cigarettes are banned in public places in the same manner as tobacco</li> <li>• Smoking prohibited on school grounds</li> <li>• Smoking prohibited in reserved seating area of outdoor sports arenas and entertainment venues</li> <li>• Smoking prohibited on bar and restaurant patios</li> <li>• Smoking prohibited on and within a 20 metre buffer zone of public sports fields and surfaces (owned by a municipality, the province or a postsecondary education institution)</li> <li>• Smoking prohibited on and within a 20 metre buffer zone of public playgrounds and playgrounds at hotels, motels and inns</li> </ul>
<b>Quebec</b>	<ul style="list-style-type: none"> <li>• Definition of "smoking" includes electronic cigarettes, vaporizers or of any other device of that nature.</li> <li>• Smoking prohibited, including on and within 9 m of patios</li> <li>• Smoking prohibited within a 9 m radius of any door, air intake or operable window leading to enclosed spaces that are open to the public</li> <li>• Smoking prohibited on and within 9 m of playgrounds, sports and recreation fields, and school grounds</li> </ul>
<b>Newfoundland &amp; Labrador</b>	<ul style="list-style-type: none"> <li>• Definition of "Smoke" or "smoking" includes ignited tobacco products, e-cigarettes, and water pipes</li> <li>• Smoking is prohibited in restaurants, bars, bingo halls, and indoor public places.</li> <li>• Smoking is prohibited on patios of licensed food and liquor premises</li> </ul>



March 6, 2017

His Worship the Mayor, Michael Fougere,  
and Members of Regina City Council  
c/o City Clerk's Office, City Hall  
2476 Victoria Avenue  
Regina, SK S4P 3C8

Dear Mayor and Members of Regina City Council:

**Re: Smoke Free Public Spaces – Amendments to Bylaw #10167**

Regina Qu'Appelle Health Region (RQHR) would like to congratulate the City of Regina for taking initiative to improve the lives and health outcomes of its citizens. We support the motion to embark on public consultation and hereby lend our support to the following suggested amendments to Bylaw No. 10167:

- Restrict smoking in public places, including restaurant and bar patios, playgrounds, fixed seats or bleachers in public venues, sports fields, outdoor concerts or public gatherings on municipal property.
- Restrict "vaping" or e-cigarette use in public places, including restaurant and bar patios, playgrounds, fixed seats or bleachers in public venues, sports fields, outdoor concerts or public gatherings on municipal property.

To further prevent potentially negative health outcomes to the residents of Regina, RQHR provides the following suggestions for consideration:

- To have a minimum buffer zone of at least 7.5 m around the perimeter of patios. Best practice indicates 9 meters with many municipalities incorporating an even broader buffer zone (1).
- To include water pipes as prohibited anywhere smoking and e-cigarettes are. "Herbal" or tobacco shisha (what is smoked in a water pipe) contains the same toxins at similar or higher levels than cigarette smoke (2, 3). This presents the same risks that cause cancer, heart disease and lung disease. There is an increase in usage of this type of smoking among our youth in Saskatchewan (4).

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His Worship the Mayor, Michael Fougere,  
and Members of Regina City Council

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March 6, 2017

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We thank you for putting this motion forward and recognizing the value and benefits the motion has on achieving the city's vision of "Canada's most vibrant, inclusive, attractive, sustainable community, where people live in harmony and thrive in opportunity" (5).

Sincerely,



Keith Dewar  
President and Chief Executive Officer  
Regina Qu'Appelle Health Region



Dr. Tania Diener, MBChB, MMed (Com Health), MPA, DTM, MFTM, RCPS(Glasg)  
Medical Health Officer  
Regina Qu'Appelle Health Region



Dr. Maurice Hennink, MB, ChB, M.Med(Comm Health)  
Deputy Medical Health Officer  
Regina Qu'Appelle Health Region

Attachments



## **Appendix 1: Supporting Information**

We support the evidence provided in the report “Protecting the health of our community smoke-free public spaces 2017” by the Saskatchewan Lung Association, Canadian Cancer Society, Heart and Stroke Foundation Saskatchewan and the Saskatchewan Coalition for Tobacco Reduction (6). **There is no safe level of second hand smoke. When it comes to exposure to second hand smoke in outdoor spaces, the healthy choice is currently not the easy choice for the 77.5% of non-smokers in Regina (1).** For those people who have chosen smoke free lives, they do not have the freedom within public spaces to adhere to these choices. This is especially true for our infants, children and youth. Below is a list of benefits of the proposed bylaw amendment:

- **The development of a pregnant woman’s baby can be improved with decreased exposure to second hand smoke.** The risk of low birth weight babies, premature deliveries and sudden infant death syndrome is decreased. Decreased exposure to second hand smoke also improves the overall health of an infant (7).
- **Decreased exposure for children to second hand smoke can improve a child’s lung functioning and breathing.** It can also reduce the risk of developing asthma later in life (7).
- **If children and youth are not exposed to smoking behaviour, they are less likely to smoke and are more likely to resist peer pressure because smoking is not the norm. Smoking restriction helps to decrease the social acceptability of smoking (8).**
- **Protects hospitality workers who work in bars and restaurants and others working outdoors in areas that will be affected by the amendments by decreasing their exposure to second hand smoke.** Tobacco smoke pollution outdoors can reach as high as or similar to indoor levels (9) and high levels of tobacco smoke pollution in outdoor environments can be found as far away as 9m from the burning cigarette, even under windy conditions (2).
- **Decreased staff absenteeism, increased productivity and lower insurance premiums associated with a workforce that smokes less and is not exposed to second hand smoke (10).**
- **To improve success rates for people who are trying to quit smoking, environments that are free of cigarette smoke and butts support their choices to lead a smoke free life.** We can support those people trying to quit smoking by taking away their triggers and allowing them freedom to enjoy our public spaces (11).
- **Those who smoke respond to smoking restrictions by cutting back or quitting (11).**

Prohibiting smoking in outdoor locations decreases the number of discarded butts and municipal clean-up costs. A 2013 litter audit for the City of Edmonton found that cigarette butts accounted for 44% of all small litter (12). This will help to support the city’s clean property bylaw and improve our city image even further. **People are more likely to visit, bring their children and be physically active in spaces that are aesthetically pleasing.**

RQHR has had an integral role in and will continue to partner with the City of Regina to provide enforcement of smoke-free public spaces in areas where we have jurisdiction.

Our approach in 2005 to the provincial indoor smoking law (Tobacco Control Act) resulted in near total compliance within 6 months through education and support for onsite consultation for businesses who were struggling to meet the new law. Several Regina businesses have already voluntarily designated their outdoor patios as smoke free with success. In addition, public consultations have shown to foster a sense of community engagement improving compliance and enforcement. Regina citizens have indicated their overwhelming support for this bylaw in a 2015 phone survey (13).

## Appendix 2: References

1. May, J, Pasiechnik, D., Macqueen Smith, F, Greaves, L. (2017). Protecting the health of our community smoke-free public spaces. Saskatchewan Lung Association, Canadian Cancer Society, Heart and Stroke Foundation Saskatchewan, Saskatchewan Coalition for Tobacco Reduction.
2. RD Kennedy, FT Fong (2012). Evidence to support outdoor smoking restrictions. Presentation to Ottawa Board of Health, Retrieved on December 16, 2016 from: [https://uwaterloo.ca/propel/sites/ca.propel/files/uploads/files/Outdoor%20Smoking%20Restrictions\\_Kennedy%20\(1\).pdf](https://uwaterloo.ca/propel/sites/ca.propel/files/uploads/files/Outdoor%20Smoking%20Restrictions_Kennedy%20(1).pdf)
3. Smoking and Health Action Foundation, (March 2015). Summaries of waterpipe research and evidence that support policy development. Retrieved on Dec 16, 2016 from: [https://www.nsra-adnf.ca/cms/file/files/SHAF\\_2015\\_Summaries\\_of\\_Waterpipe\\_Research%20Evidence.pdf](https://www.nsra-adnf.ca/cms/file/files/SHAF_2015_Summaries_of_Waterpipe_Research%20Evidence.pdf)
4. Propel Centre for Population Health, In Brief: Waterpipe Use in Sask., 2006-2014/15 Canadian Student Tobacco and Alcohol and Drug Survey
5. City of Regina Retrieved on December 16, 2016 from: <http://www.regina.ca/business/city-administration/regina-vision/index.htm>
6. Your Health System (2016). Canadian Institute of Health Information. Retrieved on December 16, 2016 from: <https://www.cihi.ca/en/health-system-performance/performance-reporting/new-data-shows-continued-improvements-in-canadas>
7. Second Hand Smoke (2016). Canadian Cancer Society. Retrieved on Dec 21, 2016 from: <http://www.cancer.ca/en/prevention-and-screening/live-well/smoking-and-tobacco/second-hand-smoke-is-dangerous/?region=sk>
8. Song AV, Glantz (2008). Pushing secondhand smoke and the tobacco industry outside the social norm to reduce adolescent smoking. J Adolesc Health. Retrieved on April 23, 2014 from: [http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2566746/.](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2566746/)
9. Environmental Health Perspectives (July 2013). Secondhand Tobacco Smoke Exposure in open and semi-open settings: A Systematic Review. Retrieved on December 16, 2016 from: <http://ehp.niehs.nih.gov/1205806/>
10. International Agency for Research on Cancer (2009). IARC Handbooks of Cancer Prevention, Tobacco Control Vol. 13: Evaluating the Effectiveness of Smoke-free Policies. Retrieved from: <http://www.iarc.fr/en/publications/pdfs-online/prev/index1.php>
11. Statistics Canada (2007) Smoking Bans: Influence on Prevalence. Shields M in Health Reports, vol 18 no 3, Aug 22, 2007. Retrieved on August 2, 2010 from: [http://www.statcan.gc.ca/pub/82-003-x/2006008/article/10306-eng.htm.](http://www.statcan.gc.ca/pub/82-003-x/2006008/article/10306-eng.htm)

12. City of Edmonton. (2009) The City of Edmonton 2009 Litter Audit Results Summary. Retrieved on August 1, 2010 from:  
<http://www.edmonton.ca/environmental/documents/LitterAuditResultsSummary2009.pdf>.
13. Praxis Analytics survey, (June 2015). Regina outdoor smoking survey detail report. Canadian Cancer Society, Lung Association of Saskatchewan, Heart and Stroke Foundation, Regina Qu'Appelle Health Region

May 17, 2017

To: Members  
Executive Committee

Re: City of Regina (City) and the Federation of Sovereign Indigenous Nations (FSIN) -  
Proposed Memorandum of Understanding (MOU) on the Elimination of Racism  
throughout our Ancestral Lands/Province

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### RECOMMENDATION

1. That City Council approve the Memorandum of Understanding (attached) on the Elimination of Racism throughout our Ancestral Lands/Province between the Federation of Sovereign Indigenous Nations and the City of Regina.
2. That Mayor Fougere, on behalf of City Council, be authorized to execute the Memorandum of Understanding after review and approval by the City Solicitor.
3. That this report be forwarded to the May 29, 2017 meeting of City Council.

### CONCLUSION

Reconciliation is about establishing and maintaining a mutually respectful relationship between Indigenous and non-Indigenous peoples in the communities in which we live, work, play and call home. Signing the Federation of Sovereign Indigenous Nations (FSIN) Memorandum of Understanding (MOU) on the elimination of racism would demonstrate the City's commitment to reconciliation and would further strengthen relationships with Indigenous organizations. The MOU commits the City to provide additional educational initiatives for all employees and elected officials, including the history of Treaty, Residential Schools and colonialism, and the Treaty and Inherent Rights of Indigenous people.

### BACKGROUND

The City of Regina, through the leadership of Mayor Fougere, brought forward a Council Referral Motion regarding the Truth and Reconciliation Commission's (Commission) Calls to Action. The Motion, unanimously supported and approved in March 2016, directed the Administration to report to Executive Committee by December 31, 2016, on potential actions, supported by Indigenous leaders, for which the City could adopt to support the work of the Commission.

Administration provided a progress report responding to the Motion (CR17-3) in January 2017, with a further update expected in July of 2017. The January 2017 report outlined an inventory of actions currently underway by the City in response to the Calls to Action. In addition, the report

outlined a process to identify, engage and facilitate community “champions”, in its journey to a collective, collaborative and living process of community reconciliation, or “Reconciliation Regina.” An update on Reconciliation Regina will be included in the Council report due in July, 2017.

## DISCUSSION

Specific to the proposed MOU, at the February 2017 Saskatchewan Urban Municipalities Association (SUMA) Annual Conference, Chief Bobby Cameron of the FSIN, approached several Saskatchewan Mayors with a proposal to sign an MOU on the elimination of racism. At the time of writing, the Mayor of the resort town of Elbow was the first to sign the reconciliation pledge (MOU) with the FSIN on April 26, 2017.

The suggested action for further education initiatives for all employees called for in the MOU aligns with the Commission’s Call to Action 57, directed to all levels of government:

*“We call upon federal, provincial, territorial and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.”*

In response to this Call to Action, which would also meet the intent of the MOU, City Administration has organized a June 7, 2017 Aboriginal Awareness Seminar with John Lagimodiere, ACS Aboriginal Consulting Services, as facilitator. The seminar will cover topics including terminology, demographics, Treaty rights and obligations, Metis history, the Indian Act, taxes, residential schools and reconciliation. For the June 7 session, there are 50 spaces open; as such, the Mayor, Councillors, the Executive Leadership Team, the Aboriginal City Employees (ACE) Steering Committee, members of the Diversity & Inclusion Steering Committee, and a few other employees who work extensively with the Indigenous community will be invited to attend.

In addition to the June 7, 2017 seminar, four additional employee sessions are planned - two sessions on June 22, 2017; and two sessions in October 2017.

Until January of 2014, the City offered Aboriginal Myths & Misconceptions employee training, with many employees attending the sessions offered by Human Resources. The new Aboriginal Awareness seminars offer content that is updated and more relevant to the Calls to Action and the FSIN MOU.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

The Aboriginal Awareness Seminars cost approximately \$3,000 each. With five sessions planned, the total cost is approximately \$15,000. Funding is available through existing budgetary resources.

### Environmental Implications

None with respect to this report.

### Policy and/or Strategic Implications

All Canadians, levels of government and community stakeholders have a responsibility and role to play in the reconciliation process. As such, it is integral to the health and wellbeing of the community, province, nation and society, in general, that the City, as an organization, participate in advancing the process of Canadian reconciliation.

### Other Implications

None with respect to this report.

### Accessibility Implications

None with respect to this report.

### COMMUNICATIONS

Any and all joint communication activities will be discussed between the parties involved, and a signing event will be coordinated by both the City and FSIN.

### DELEGATED AUTHORITY

The recommendations contained within this report require City Council approval.

Respectfully submitted,



Sheila Harmatiuk  
Senior Advisor, Government and

Respectfully submitted,



Michael Fougere  
Mayor

## Indigenous Relations





## **Memorandum of Understanding**

### **Between the Parties**

*Federation of Sovereign Indigenous Nations*

*and*

*City of Regina, Saskatchewan*

### **Memorandum of Understanding**

#### **“Elimination of Racism throughout our Ancestral Lands/ Province”**

Racism towards Indigenous people is a learned behaviour that persists in Saskatchewan. Racism endangers the lives of Indigenous people, and threatens the peace and prosperity of this province.

and

These behaviours can be changed.

Therefore

We commit to support this policy by providing additional education initiatives for all staff and elected officials, including history of Treaty, Residential Schools and colonialism, and the Treaty and Inherent Rights of Indigenous people.

**In witness whereof the Parties have executed this**

**Memorandum of Understanding**

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**His Worship Mayor Fougere**  
**Mayor of Regina, Saskatchewan**

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**Chief Bobby Cameron**  
**Federation of Sovereign Indigenous Nations**