



**To:** General Purposes Committee **Date:** March 16, 2018  
**From:** Serena Lusk **File:** 12-8060-20-009830  
General Manager, Community Services  
**Re:** **Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use**

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**Staff Recommendation**


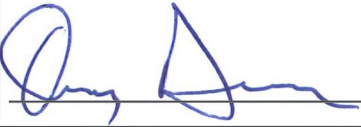
1. That Public Health Protection Bylaw No. 6989, Amendment Bylaw No. 9830, be introduced and given first, second, and third readings, as detailed in the staff report titled "Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use," dated March 16, 2018, from the General Manager, Community Services;
2. That \$25,000 be approved from the Council Community Initiatives Account for the creation and production of public educational materials to inform the public and organizations on the changes to Richmond's smoking prohibitions, as detailed in the staff report titled "Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use," dated March 16, 2018, from the General Manager, Community Services;
3. That the 5 Year Financial Plan (2018-2022) be amended accordingly to reflect the foregoing recommendations, as detailed in the staff report titled "Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use," dated March 16, 2018, from the General Manager, Community Services;
4. That all affiliated community organizations that use public parks and school grounds be informed by letter of the foregoing recommendations, as detailed in the staff report titled "Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use," dated March 16, 2018, from the General Manager, Community Services; and
5. That Richmond School District No. 38 be informed by letter of the foregoing recommendations, as detailed in the staff report titled "Proposed Amendment to Public Health Protection Bylaw No. 6989 Regarding Smoking and Vapour Product Use," dated March 16, 2018, from the General Manager, Community Services.

Serena Lusk  
General Manager, Community Services  
(604-233-3344)

Att. 5

March 16, 2018

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REPORT CONCURRENCE		
<b>ROUTED To:</b> Communications Community Bylaws Community Safety Finance Law	<b>CONCURRENCE</b> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<b>CONCURRENCE OF GENERAL MANAGER</b> 
<b>REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE</b>	<b>INITIALS:</b> CS	<b>APPROVED BY CAO</b> 

## Staff Report

### Origin

At the July 20, 2017, Parks, Recreation and Cultural Services Committee meeting, staff received the following referral:

*That staff investigate ways to implement expanded smoking prohibitions in Richmond public parks and school grounds and report back to Council.*

This report responds to the above referral.

This report supports Council's 2014-2018 Term Goal #1 A Safe Community:

*Maintain emphasis on community safety to ensure Richmond continues to be a safe community.*

- 1.1. *Policy and service models that reflect Richmond-specific needs.*
- 1.3. *Improved perception of Richmond as a safe community.*

This report supports Council's 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

*Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond's demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.*

- 2.3. *Outstanding places, programs and services that support active living, wellness and a sense of belonging.*

### Analysis

#### Background

Smoking is the leading cause of preventable death in British Columbia, and is a known health risk to both users and bystanders. No level of exposure to second-hand smoke has been deemed safe, even in outdoor settings. Discarded cigarette butts are also harmful to the environment, increase maintenance costs for parks and public spaces, and are the number one cause of fire in Richmond.

Vapour products, which are handheld, electronic devices that heat a variety of substances such as nicotine, flavourings, cannabis or other ingredients to create a vapour for inhalation or release into the air, have also been identified as a public health concern due to unregulated ingredients and the potential health impact of vapour on users and bystanders. Vapour product use also creates confusion as to where smoking is permitted.

Additional research on smoking and vapour product use can be found in Attachment 1.

### Provincial Legislation and Enforcement

On September 1, 2016, the new *Tobacco and Vapour Products Control Act* (the "Act") and the *Tobacco and Vapour Control Regulation* (the "Regulation") came into effect, whereby vapour products are treated in the same manner as tobacco products. Under the Act and Regulation, tobacco and vapour products use is prohibited on school properties, indoor public spaces, workplaces, residential common areas, transit shelters, and within 6 metres of a doorway, window, or air intake of any building, structure, vehicle or any other place that is fully or substantially enclosed and accessible to the public.

The Ministry of Health is responsible for the administration of the Act and Regulation, while Vancouver Coastal Health is tasked with enforcing the Act and Regulation in Richmond.

### Municipal Legislation and Enforcement

The City's Public Health Protection Bylaw No. 6989 currently prohibits smoking inside buildings that are open to the public, vehicles for hire, vehicles with underage occupants, customer service areas, within 3 metres of an enclosed or partially enclosed transit or taxi shelter, within 6 metres of a transit or taxi sign, customer service area, or a doorway, window, air intake, or opening of any building, and in or within 25 metres of any playground or outdoor sport facility. Although the smoking of cannabis is already prohibited under the existing bylaw, vapour product use is not.

The City contracted Richmond Health Services (a provincial government agency operating under the umbrella of Vancouver Coastal Health) to provide the City's primary enforcement component for smoking control provisions in the Public Health Protection Bylaw No. 6989, augmented by the City's Community Bylaws Department and the RCMP.

### Stronger Smoking Regulations at the Municipal Level

Local governments are empowered to establish more stringent regulations regarding the use of tobacco and vapour products in workplaces, and public spaces. In 2008, Richmond was one of the first jurisdictions in Metro Vancouver to prohibit smoking in outdoor sport facilities and playgrounds. Since that time, a growing appetite for smoke-free outdoor public spaces has emerged.

Jurisdictions such as Port Moody (2008), White Rock (2009), Vancouver (2010), Coquitlam (2010, 2016), Surrey (2011), Metro Vancouver (2012), Lions Bay (2012), Delta (2015), Abbotsford (2017), and Port Coquitlam (2018), have implemented site-wide smoking bans in its respective parks (Attachment 2). The more recent amendments also include vapour products in such smoking prohibitions in accordance with the Act and Regulation.

Jurisdictions such as Anmore (2008), Belcarra (2008), Pitt Meadows (2008), Port Moody (2008), Surrey (2008), White Rock (2008), Maple Ridge (2014), North Vancouver (2014, 2015), New Westminster (2015), Abbotsford (2017), and Port Coquitlam (2018), have also implemented no-smoking buffers of 7 metres or greater around transit shelters and signs, customer service areas,

playgrounds, sport fields, off-leash dog areas, food concessions, and doors, windows, air intakes or other building openings (Attachment 2).

### Proposed Bylaw Amendments

In reviewing Public Health Protection Bylaw No. 6989, staff considered the recommendations of Vancouver Coastal Health, the Canadian Cancer Society (BC & Yukon), the Heart and Stroke Foundation of Canada (BC & Yukon), and the British Columbia Lung Association, as well as the smoking regulations implemented in other jurisdictions. It was determined that the bylaw is no longer consistent with the Act and Regulation, and is no longer sufficient to provide the level of public health protection recommended by health authorities.

In order to prevent smoking rates from rising, support the efforts of those who wish to quit smoking, and protect the public's rights to clean air, the following amendments are recommended:

- an increase of the no-smoking buffer around:
  - enclosed or partial enclosed transit or taxi shelters from 3 metres to 9 metres; and
  - transit or taxi signs or posts, customer service area, or door, window, air intake or opening of any building from 6 metres to 9 metres;
- the prohibition of smoking in all public parks and school grounds, as defined in the Public Parks and School Grounds Regulation Bylaw No. 8771, which includes greenways, trails, beaches, golf courses, playing fields, and any buildings intended for public recreational use such as swimming pools, arenas, recreation centres, piers and heritage sites;
- the expansion of the definition of "Smoke or Smoking" to include a specific reference to cannabis to provide clarity, and vapour products of all types regardless of whether they contain tobacco, nicotine or cannabis; and
- the addition of related definitions of "Activated e-Cigarette", "e-Cigarette", "e-Substance", "Public Park", and "School Ground" to provide clarity.

The proposed amendments to Public Health Protection Bylaw No. 6989 are provided in Attachment 3. A redline summary of such amendments are provided in Attachment 4.

Although smoking is already prohibited on school grounds, the inclusion of school grounds in the proposed bylaw amendments will provide an additional level of clarity to members of the public who are unfamiliar with provincial legislation and local school district policy.

A letter of endorsement for the proposed amendments from the Clean Air Coalition of BC, on behalf of the Heart and Stroke Foundation of Canada (BC & Yukon), the British Columbia Lung Association, and the Canadian Cancer Society (BC & Yukon), is provided in Attachment 5.

### Benefits of Proposed Bylaw Amendments

Benefits of the proposed amendments include:

- protection of the public from involuntary exposure to the detrimental effects of second-hand smoke;
- support for individuals who want to quit smoking by eliminating triggers;
- denormalization of smoking and vapour product use to deter youth from engaging in such activities;
- reduction of litter associated with smoking, which will subsequently reduce maintenance costs;
- protection of birds and other wildlife from cigarette butts, which can be fatal if ingested; and
- reduction of wildfire risk.

### Enforcement Approach and Public Compliance

Two approaches for seeking the public's compliance with the proposed amendments will be implemented as follows:

1. *Public Education (Priority)*

The initial focus will be on a public education campaign to achieve compliance through promotion and increased public awareness of the new smoking and vapour product use prohibitions, with enforcement as a secondary option if necessary. Bylaw enforcement officers who patrol or are already attending to incidents in public parks and school grounds will continue to monitor for bylaw violations. Individuals caught smoking or engaging in vapour product use on a repeated basis, or in a harmful or risky manner may be issued a fine. Under this approach, bylaw enforcement services will remain at existing levels.

2. *Enforcement*

The majority of activities in public parks occur during the evenings and weekends when most enforcement personnel are not on duty. In order to implement an enforcement-focused approach, additional bylaw enforcement officers will be required to monitor and enforce the new smoking and vapour product use prohibitions on a regular basis during peak park usage hours. The cost to provide such additional enforcement services is estimated at \$100,000 per year. Due to its high cost and to allow the public time to adjust to the new bylaw provisions, this approach, if required, will be secondary and support the Public Education approach identified above. If increased bylaw enforcement services are later required beyond current

levels, a funding source will need to be identified at that time for the additional costs incurred.

No changes are required in respect of the violations and fines provisions for smoking in outdoor public spaces. Municipal Ticket Information Authorization Bylaw No. 7321 currently provides an escalating fine mechanism to deter repeat offences, as well as fines for absent or deficient signage.

*Excerpt from Schedule B 9 of the Municipal Ticket Information Authorization Bylaw No. 7321*

<b>PUBLIC HEALTH PROTECTION BYLAW 6989</b>		
Column 1	Column 2	Column 3
<b>Offence</b>	<b>Bylaw Section</b>	<b>Fine</b>
Smoking where prohibited – First offence	6.1.1, 6.3.1	\$150
Smoking where prohibited – Second offence	6.1.1, 6.3.1	\$500
Smoking where prohibited – Third or subsequent offence	6.1.1, 6.3.1	\$1,000
Permitting or allowing smoking	6.1.2	\$1,000
Failure to post no smoking sign	6.1.2	\$1,000
Deficient no smoking sign	6.2	\$1,000
Person removing or destroying required sign	6.2.5	\$200

Communication Strategy

If the proposed amendments to the Public Health Protection Bylaw No. 6989 are approved, the public will be notified of the expanded prohibitions through a number of methods including:

- press releases and public notices at City Hall;
- information on the City’s website;
- letters to various community organizations that are affiliated with City parks;
- notices on community bulletin boards in parks;
- updated park signage;
- commercial and public sign templates on the British Columbia Lung Association’s website;
- information at the City’s annual Public Works Open House;
- educational print materials; and
- a public service announcement (PSA) video.

The cost for the creation and production of educational print materials and a PSA video to inform the public and organizations of the proposed bylaw changes is estimated at \$25,000.

Affiliated Community Organizations

As a condition of use, all community groups who are allotted outdoor sports facilities or operate programs in public parks and school grounds are expected to act in accordance with City bylaws. A notification will be sent to such groups informing them of the expanded prohibitions on smoking and vapour product use.

### Park Signage

The City is currently in the process of finalizing designs for its Wayfinding and Parks Identification (WPI) system, whereby existing park and trail signage will be replaced with a more unified, iconography-based approach. The first phase of installation is expected to begin in 2018. Under the WPI system, bylaw information will be posted on monolith park identification signage, which are to be located at the main entrances of each park. If the proposed bylaw amendments are approved prior to final printing, information about smoking and vapour use prohibitions can be incorporated into these signs at no additional cost.

There are 500 stand-alone bylaw signs also installed throughout public parks and school grounds in strategic and high traffic areas. No-smoking or vaping decals can be produced and affixed to existing signs at a cost of approximately \$8,000. Alternatively, these signs can also be replaced at a production and installation cost of approximately \$25,000. Due to the good condition of the existing signs and minor content change required, staff recommend that decals be used at this time. Signs will be replaced due to damage, deterioration or additional content change on an as needed basis.

### Commercial and Public Signage

Under the existing bylaw, individuals who own, control or manage a business, premise, customer service area, taxi, or building that is open to the public are responsible for posting and maintaining signage that notifies the public of the smoking prohibitions applicable to that area. Currently, the British Columbia Lung Association provides free templates for no-smoking signs on their websites, which are tailored to the requirements of various jurisdictions in Metro Vancouver. Individuals can use these templates to print or order manufactured signs from a supplier of their choosing.

Staff will proceed with warnings before issuing signage-related citations in order to allow businesses sufficient time to comply with the new requirements.

### **Financial Impact**

The cost to update existing park signage to reflect the proposed bylaw amendments is estimated at \$8,000. Funding for these signs will be accommodated through the Parks Identity Signage Program, which was approved by Council on December 11, 2017, as part of the 2018 Capital Budget, and included in the 5 Year Financial Plan (2018-2022).

A one-time funding amount of \$25,000 is requested from the Council Community Initiatives Account for the creation and production of educational print materials, and a PSA video, to inform the public and organizations of the changes to Richmond's smoking prohibitions. If the abovementioned request is approved by Council, the 5 Year Financial Plan (2018-2022) will be amended accordingly.



## Conclusion

Smoking and vapour product use in outdoor public spaces presents a serious health risk to both users and bystanders, while posing an environmental and fire hazard for the City. The proposed amendments to the Public Health Protection Bylaw No. 6989 will enhance the use, enjoyment and safety of Richmond's parks, school grounds, and public spaces by protecting the public from the harmful health effects of second-hand smoke and promoting a healthy, clean environment for the community.



Beayue Louie  
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- Att. 1: Research on Smoking and Vapour Product Use
- 2: Chart of Smoking-Related Bylaws in Metro Vancouver
- 3: Public Health Protection Bylaw No. 6989, Amendment Bylaw No. 9830
- 4: Redline Summary of Changes to Public Health Protection Bylaw No. 6989
- 5: Letter of Endorsement from the Clean Air Coalition of BC, on behalf of the Heart and Stroke Foundation of Canada (BC & Yukon), the British Columbia Lung Association, and the Canadian Cancer Society (BC & Yukon)

## Research on Smoking and Vapour Product Use

### Effects of Smoking

Smoking is a known risk factor for a number of serious health conditions such as cancer, cardiovascular disease, chronic respiratory conditions and dental decay. It is the leading cause of preventable disease and illness in British Columbia,<sup>1</sup> and is associated with more than 6,000 deaths in the province each year.<sup>2</sup> Furthermore, the U.S. Surgeon General has indicated that there is no safe level of exposure to second-hand smoke, even in outdoor settings.<sup>3</sup> Although it varies from situation to situation, research indicates that the fine particulate matter in second-hand smoke can generally still be detected at more than 7 metres from its source,<sup>4</sup> and even present as far as 9 metres from a burning cigarette.<sup>5</sup> Second-hand smoke contains more than 4,000 chemicals – 70 of which are known to cause cancer.<sup>6</sup>

Additionally, cigarette butts pose a significant danger to wildlife, are harmful to the environment, are unsightly, increase maintenance costs for parks and public spaces, and pose a serious, yet preventable, fire hazard. They are regularly reported as the most littered item in British Columbia,<sup>7</sup> and are the number one cause of fire in Richmond.<sup>8</sup>

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<sup>1</sup> “Vancouver Coastal Health & Fraser Health Data Summary Sheets: Tobacco Use.” *My Health My Community*, Vancouver Coastal Health, Fraser Health and University of British Columbia, 2016, <http://www.myhealthmycommunity.org/Results/DataSheets.aspx>.

<sup>2</sup> “Growing municipal support for smoke-free places highlights inequality in provincial tobacco legislation.” *Canadian Cancer Society*, 17 Jan. 2017, <http://www.cancer.ca/en/about-us/for-media/media-releases/british-columbia/2016/copy-of-bc-preventing-cancer-with-hpv-announcement/?region=bc>.

<sup>3</sup> U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

<sup>4</sup> Copes, Ray, and Jo Rekart. “Environmental Tobacco Smoke in Indoor and Outdoor Public Places.” *Provincial Health Services Authority*, 8 June 2006. <http://www.bccdc.ca/pop-public-health/Documents/Environmental%20Tobacco%20Smoke%20in%20Indoor%20and%20Outdoor%20Public%20Places%20%282006%29.pdf>.

2012 Resolutions Committee. “Resolutions to be Considered at the 2012 Annual Convention.” *2012 Annual Convention*. Victoria, British Columbia: Union of BC Municipalities, 25-28 Sept. 2012.

<sup>5</sup> “Outdoor Smoke and Vape-Free Places: Q&A, March 2017.” *Canadian Cancer Society: Take Action*, Canadian Cancer Society, 2017.

<sup>6</sup> “Outdoor Smoke and Vape-Free Places: Q&A, March 2017.” *Canadian Cancer Society: Take Action*, Canadian Cancer Society, 2017.

<sup>7</sup> “Plastic bags and cigarette butts: new data from TD Great Canadian Shoreline Cleanup finds perception “butts” reality.” *The Official Blog*, Great Canadian Shoreline Cleanup, 28 Oct. 2008, <https://canadianshorelinecleanup.wordpress.com/2008/10/22/plastic-bags-vs-cigarette-butts/>.

“Outdoor Smoke and Vape-Free Places: Q&A, March 2017.” *Canadian Cancer Society: Take Action*, Canadian Cancer Society, 2017.

<sup>8</sup> “The world is not your ashtray urges Richmond Fire-Rescue.” *City of Richmond*, 1 Aug. 2017, <https://www.richmond.ca/newsevents/city/cigarettefires2017Aug01.htm>.

Carlson, Paula. “Richmond ablaze with cigarette butts.” *Richmond News*, 1 Aug. 2017, <http://www.richmond-news.com/news/richmond-ablaze-with-cigarette-butts-1.21538921>.

Fennell, Don. “Tossed butts leading cause of Richmond fires.” *Richmond Sentinel*, 1 Aug. 2017, <http://www.richmondsentinel.ca/Lateststories/617/tossed-butts-leading-cause-of-richmond-fires>.

## Effects of Vapour Product Use

The use of vapour products such as e-cigarettes in workplaces and public spaces has also been identified as a public health concern due to unregulated ingredients and the potential health impact of vapour on users and bystanders. Assessments of the chemical compounds used in vapour products indicate that there is potential cytotoxicity in some solutions, that the aerosol produced by vapour products typically contain some carcinogenic compounds and other toxicants (potentially in levels as high as those found in smoke produced by cigarettes), and that the size of particulates produced by vapour products are similar to those of conventional cigarettes.<sup>9</sup> Although the long-term health effects of vapour products are presently unknown, Health Canada, the World Health Organization and the U.S. Federal Drug Administration have issued warnings against e-cigarette use, particularly by adolescents and pregnant women.<sup>10</sup> Vapour product use also creates public confusion as to where smoking is permitted.

## Smoking Statistics in British Columbia

The majority of British Columbians (aged 12 and over) do not smoke, and British Columbia has consistently maintained the lowest smoking rate of all the provinces and territories.<sup>11</sup> Between 2010 and 2014, this smoking rate decreased from 17.4 per cent to 14.3 per cent.<sup>12</sup>

*Excerpt from Statistics Canada Table 105-0501, Catalogue No. 82-221-X.*

*Smokers by sex, provinces and territories (population aged 12 and over who reported being a current smoker).<sup>13</sup>*

	Smoking Rate (% / per cent)				
	2010	2011	2012	2013	2014
British Columbia	17.4	15.8	14.5	16.2	14.3
Alberta	22.7	21.7	21.6	20.3	19.0
Saskatchewan	22.8	23.8	20.0	22.8	20.5
Manitoba	18.8	20.0	20.1	19.2	16.3
Ontario	19.3	19.4	19.0	18.1	17.4
Quebec	23.3	21.0	23.8	21.4	19.6
New Brunswick	22.5	21.7	23.7	21.8	20.9
Nova Scotia	23.2	21.8	23.7	21.1	22.1
Prince Edward Island	23.6	21.0	21.9	19.3	19.7
Newfoundland and Labrador	23.0	20.4	26.1	20.1	21.7
Yukon	27.9	29.3	29.4	25.9	26.2
Northwest Territories	41.7	34.9	35.8	33.2	33.3
Nunavut	54.4	59.7	54.3	59.0	62.0

<sup>9</sup> World Health Organization. "Electronic nicotine delivery systems." *Conference of the Parties to the WHO Framework Convention on Tobacco Control*. Moscow, Russia: WHO Framework Convention on Tobacco Control, 13-18 Oct. 2014.

<sup>10</sup> "Outdoor Smoke and Vape-Free Places: Q&A, March 2017." *Canadian Cancer Society: Take Action*, Canadian Cancer Society, 2017.

<sup>11</sup> "Smokers, by sex, provinces and territories (Percent)." *Statistics Canada*, 7 March 2016.

<https://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/health74b-eng.htm>.

<sup>12</sup> "Smokers, by sex, provinces and territories (Percent)." *Statistics Canada*, 7 March 2016.

<https://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/health74b-eng.htm>.

<sup>13</sup> "Smokers, by sex, provinces and territories (Percent)." *Statistics Canada*, 7 March 2016.

<https://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/health74b-eng.htm>.

According to surveys conducted in 2014 by My Health My Community (a non-profit partnership between Vancouver Coastal Health, Fraser Health and the eHealth Strategy Office at the University of British Columbia), Richmond also has a significantly lower proportion of daily or occasional adult (18+) smokers in comparison to Vancouver, Metro Vancouver and the overall Vancouver Coastal Health region.

*Excerpt from Vancouver Coastal Health Table 1.  
Proportion of survey respondents aged 18+ years by indicator who reported being daily or occasional smokers.<sup>14</sup>*

	Richmond	Vancouver	Metro Vancouver	Coastal Urban	Coastal Rural	Vancouver Coastal Health
Smoking Rate (% / per cent)	7.8	12.1	10.6	8.4	9.7	10.6

While the smoking of cannabis is already prohibited under the City’s existing bylaw, the anticipated legalization of cannabis on July 1 by the federal government may contribute to increased smoking of all types (tobacco, cannabis and vapour product use) in public outdoor spaces, which increases the risk to the public of involuntary exposure to second-hand smoke. In order to prevent smoking rates from rising, support the efforts of those who wish to quit smoking, and protect the public’s rights to clean air, strong bylaw provisions are necessary for the continual protection of public health.

Call for Stronger Smoking Regulations

In 2012, the Union of B.C. Municipalities passed Resolution B92 in support of comprehensive provincial outdoor tobacco legislation, which included recommendations to the provincial government that smoking be banned in customer service areas, in parks, on playgrounds, on beaches, at public events, and at least 7.5 metres from the aforementioned areas, and from doors, windows and air intakes of public buildings.<sup>15</sup> Although the Province elected to provide a lesser “baseline of protection across the province”, it encouraged municipalities to continue to promote healthy living and to provide smoking bylaws that fit their community.<sup>16</sup>

As of December 2016, approximately 71 communities in British Columbia have implemented smoking policies that are more restrictive than provincial legislation.<sup>17</sup>

<sup>14</sup> “Vancouver Coastal Health & Fraser Health Data Summary Sheets: Tobacco Use.” *My Health My Community*, Vancouver Coastal Health, Fraser Health and University of British Columbia, 2016, <http://www.myhealthmycommunity.org/Results/DataSheets.aspx>.

<sup>15</sup> 2012 Resolutions Committee. “Resolutions to be Considered at the 2012 Annual Convention.” *2012 Annual Convention*. Victoria, British Columbia: Union of BC Municipalities, 25-28 Sept. 2012.

<sup>16</sup> Ministry of Health. *Provincial Response to the Resolutions of the 2012 Union of British Columbia Municipalities Convention*, January 2013. Ministry of Community, Sport and Cultural Development.

<sup>17</sup> Non-Smokers’ Rights Association. *Non-Smokers’ Rights Association Smoke-Free Laws Database*, <http://database.nonsmokersrights.ca>.

Throughout Entire Park (Site-Wide)  
 Playgrounds & Sport Fields  
 School Grounds  
 e-Cigarettes & Vapour Products

Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions	No Smoking Buffer (Paraphrased)	No Smoking in Parks
Current Bylaw						
Richmond (City)	4	207,773	Public Health Protection Bylaw No. 6989 (2015)	X	3 m within: <ul style="list-style-type: none"> <li>enclosed or partially enclosed transit/taxi shelter (s. 6.1.1(d))</li> </ul> 6 m within: <ul style="list-style-type: none"> <li>transit/taxi sign (s. 6.1.1(e))</li> <li>any door, window, air intake or building opening (s. 6.1.1(f))</li> <li>customer service area (s. 6.1.1(h))</li> </ul>	6.3.1 No person shall light a cigarette, cigar, pipe or other smoking equipment, smoke or use tobacco in any other manner, on or within twenty-five (25) metres of any outdoor sport facility or playground.  <i>“Outdoor Sport Facility”</i> means City owned natural and synthetic turf sports fields, ball diamonds, stadiums, track and field facilities, lawn bowling greens, golf courses, horseshoe pitching pits, lacrosse boxes, tennis courts and outdoor swimming pools.  <i>“Playground”</i> means City owned playground equipment, including the surrounding playground safety surfacing.  <i>“Public Park”</i> means any public parks, boulevards, greenways, playgrounds, paths, trails, beaches, golf courses and playing fields, as well as any buildings or structures designated or intended for public recreational use including swimming pools, arenas, recreation centres, sports courts, docks, piers, heritage sites or other facilities, that are under the custody, care, management and/or jurisdiction of the City, and which are made available by the City for public access  <i>“Smoke or Smoking”</i> means to inhale, exhale, burn or carry a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco or other weed or substance.



Throughout Entire Park (Site-Wide)  
 Playgrounds & Sport Fields  
 School Grounds  
 e-Cigarettes & Vapour Products

Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
Other Jurisdictions									
Metro Vancouver	-	2,463,431	Regional Parks Regulation Bylaw No. 1177, 2012 (2012)	X	X			N/A	6.1 No person shall smoke except in an area designated by posted notice as allowing smoking.
Abbotsford (City)	6	141,485	Smoking Regulation Bylaw No. 2694-2017 (2017)	X	X	X	X	7 m within: <ul style="list-style-type: none"> <li>entrance, air intake, or window of a public building (s. 3(b))</li> </ul>	3. No person shall Smoke: <ol style="list-style-type: none"> <li>in or upon any Outdoor Public Space, Park or Youth Park.</li> </ol> "E-Cigarette" means the following: <ol style="list-style-type: none"> <li>a product or device, whether or not it resembles a cigarette, containing an electronic of battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air; or</li> <li>a prescribed product or device similar in nature or use to a product or device described in Paragraph (a).</li> </ol> "E-Substance" means a solid, liquid, or gas; that: <ol style="list-style-type: none"> <li>on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine, and</li> <li>is not a controlled substance within the meaning of the Controlled Drugs and Substances Act, S. C. 1996.</li> </ol> "Outdoor Public Space" means an outdoor children's playground, playing field, sports venue, stadium, or sports facility, located on land owned by the City, or School District #34, and open to the public from time to time for viewing, performing or participating in play, sports activities, competitions or other scheduled and unscheduled events.

Throughout Entire Park (Site-Wide)  
 Playgrounds & Sport Fields  
 School Grounds  
 e-Cigarettes & Vapour Products

Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
								<p>"Smoke or Smoking" means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, hookah pipe, Vapour Product or other lighted Smoking equipment that burns tobacco or any other plant or substance.</p> <p>"Vapour Product" means the following:                      (a) an E-Cigarette;                      (b) an E-Substance; or                      (c) a cartridge for, or a component of, an E-Cigarette.</p> <p>"Park" has the same meaning as defined in the City's Parks Bylaw, 2016.</p> <p>"Youth Park" has the same meaning as defined in the City's Parks Bylaw, 2016.</p>
Anmore (Village)	21	2,322	Anmore Smoking Control Bylaw No. 448-2008 (2008)				7.5 m within: <ul style="list-style-type: none"> <li>doorway, window or air intake of a place of public assembly (s. 4(b))</li> </ul>	N/A "Smoke or Smoking" means inhaling, exhaling, burning or carrying of a lighted cigar, cigarette, pipe or other smoking equipment of tobacco, or any other weed or plant.
Belcarra (Village)	23	618	Smoking Control Bylaw 285, 1998 (2008)		X		7.5 m within: <ul style="list-style-type: none"> <li>doorway, window or air intake of a place of public assembly (s. 3.2)</li> <li>playground or public gathering place (s. 3.3)</li> </ul>	3.3 Smoking is prohibited on playing fields and within 7.5 metres of playgrounds and other public places where children gather or play, and prohibited in public gathering places where people sit or stand together in close proximity.  "Smoke or smoking" means, inhaling, exhaling, burning or carrying of a lighted cigar, cigarette, pipe or other smoking equipment of tobacco, or any other weed or plant.

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
Bowen Island (Municipality)	20	3,580	N/A					N/A	N/A
Burnaby (City)	3	238,728	N/A					N/A	N/A
Coquitlam (City)	5	147,619	Smoking Control Bylaw No. 3037, 1996  (2010, 2016)	X	X		X	N/A	<p>3.1 A person must not Smoke, use an E-Cigarette, or hold an Activated E-Cigarette:                      3.1.4 in any Park;</p> <p><i>“Activated E-Cigarette”</i> means an E-Cigarette in which an E-Substance is being vaporized;</p> <p><i>“E-Cigarette”</i> means a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an E-Substance for inhalation or release into the air;</p> <p><i>“E-Substance”</i> means a solid, liquid or gas that, on being heated, produces a vapour for use in an E-Cigarette, regardless of whether the solid, liquid or gas contains nicotine;</p> <p><i>“Park”</i> means any land dedicated as a park or parkland or any other land used for leisure or recreation which the City owns or controls by means of title, lease, license or other legal instrument, and is within the jurisdiction of the City;</p> <p><i>“Smoke”</i> or <i>“Smoking”</i> means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance;</p>



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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks	
Delta (City)	8	101,997	Delta Smoking Regulation Bylaw No. 7481, 2015  (2015)	X	X		X	N/A	<p>3.1 The Director of Parks, Recreation and Culture may designate areas in parks and open spaces or on municipal lands where smoking may be permitted.</p> <p>4.4 No person shall smoke, carry or possess a lit cigarette, cigar or pipe, or burn tobacco or plant material in any manner, or, use an electronic smoking device:                      (a) within the areas of a park or municipal land.</p> <p><i>"park or municipal land"</i> means play areas, play lots, playgrounds, play fields, trails, public squares, walkways, open spaces and other places including recreation or cultural facilities which are owned, possessed or operated by Delta and which are used, reserved or dedicated for public purposes;</p> <p><i>"smoke"</i> or <i>"smoking"</i> means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment burning tobacco or any other weed or substance, but does not include smoking by actors as part of a stage or theatrical performance.</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
Langley (City)	16	27,283	Smoking Regulation Bylaw No. 2792 (2010, 2016)				X	3 m within: <ul style="list-style-type: none"> <li>door, window or air intake (s. 4(1)(c))</li> <li>customer service area (s. 4(1)(e))</li> </ul>	N/A "Electronic Smoking Device" means a vaporizer or inhalant-type device or a component of such a device, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth; "Smoke" or "Smoking" means burn or carry a lighted cigarette, cigar, pipe, electronic smoking device, hookah pipe or other lighted smoking equipment that burns tobacco.
Langley (Township)	7	122,415	N/A					N/A	N/A
Lions Bay (Village)	22	1,325	Park Regulations Bylaw 448, 2012 (2012)	X				N/A	11.6 No person shall smoke in any park or trailway. "Park" means a park or parkland or any real property or interest therein within the Village held or used for pleasure or recreation uses of the public and includes the land held under any lease, including the foreshore and land covered by water granted to the Village by her Majesty the Queen and designated W-2 under Zoning and Development Bylaw No. 520, 2017, and including the forest inside the Village boundary.

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
Maple Ridge (City)	10	85,653	Maple Ridge Smoking Regulation Bylaw No. 6968-2013 (2014)	X	X	X	7.5 m within: <ul style="list-style-type: none"> <li>Enclosed or partially enclosed transit/taxi shelter (s. 5.1.4)</li> <li>customer service area (s. 5.1.7)</li> <li>door, window, air intake, or building opening (s. 5.1.8)</li> </ul>	5.1 A person shall not Smoke: <ul style="list-style-type: none"> <li>5.1.9 On any Swimming Beach or in a wading or swimming pool;</li> <li>5.1.10 Within the areas of municipal park, or playground where there are playing fields, picnic areas, food concessions or children’s play equipment present, or organized fitness activities taking place;</li> <li>5.1.12 On the grounds of any municipal recreational facility, including skate board parks;</li> <li>5.1.13 Within seven point five (7.5) metres of those places outlined in sub sections 5.1.9, 5.1.10, 5.1.11, or 5.1.12 of this bylaw.</li> </ul> <p>“e-cigarette” means a cylinder-shaped device made of stainless steel or plastic. It is similar in appearance, use and sometimes taste to a cigarette but it contains no tobacco and does not produce smoke. It consists of a battery powered atomizer that vaporizes in a chemical liquid containing propylene glycol or vegetable glycerine, flavourings, and other chemicals such as formaldehyde and acetone. The cartridge may or may not contain nicotine.</p> <p>“Smoke” or “Smoking” means to inhale, exhale, burn, or carry a lighted cigarette, e-cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance.</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
								<p><i>"Swimming Beach"</i> means any beach that is so designated by sign as a beach used for swimming or sunbathing.</p>
New Westminster (City)	11	73,771	Smoking Control Bylaw No. 6263, 1995  (2015)		X	X	<p>7.5 m within:</p> <ul style="list-style-type: none"> <li>door, window, air intake, or building opening (s. 3(p))</li> </ul> <p>15 m within:</p> <ul style="list-style-type: none"> <li>outdoor sports field, skate park, playground, stadium, picnic area, water park, pool, or off-leash dog area (s. 3(q))</li> </ul>	<p>3. No person shall smoke:</p> <p>(q) within 15 metres of an outdoor sports field, skate park, playground, lacrosse box, lawn bowling green, stadium, picnic area, water park, wading pool, swimming pool or off-leash dog area within a City park.</p> <p><i>"smoke or smoking"</i> includes inhaling, exhaling, burning or carrying of a lighted cigar, cigarette, pipe or other lighted smoking equipment of tobacco or any other weed or plant.</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
North Vancouver  (City)	13	52,794	Smoking Regulation Bylaw, 1998 No. 7026  (2014, 2015)	X	X	X	7.5 m within: <ul style="list-style-type: none"> <li>• building, transit/taxi stop, or transit/taxi shelter (s. 2(d))</li> <li>• outdoor customer service areas (excluding existing outdoor customer service areas for licensed liquor establishments ) (s. 2(e))</li> <li>• door, window, air intake, or building opening (s. 2(f))</li> <li>• children’s play equipment, playground, playing field, beach, food concession, picnic area, skateboard park or City trail (s. 3(a))</li> <li>• area of park or municipal property being used for a public event or permit activity, except for</li> </ul>	3. A person must not smoke in or within 7.5 metres of: <ol style="list-style-type: none"> <li>children’s play equipment or a playground, playing field (if other persons are present), Swimming Beach, food concession, picnic area, skateboard park in a Park or City trail;</li> <li>any part of a Park or other municipal property that is being used for any public event or activity that the City has authorized by the issuance of a permit with the exception of public walkways providing a public thoroughfare through the site;</li> <li>public plazas identified in Schedule “A”.</li> </ol> <p>“City Trail” means a paved or unpaved path for pedestrian and/or cyclist and wheeled mobility aid use that may be in parks, on streets or on other public lands.</p> <p>“Park” means any real property owned or occupied by the City for the purpose of pleasure, recreation or community use by the public, including but not limited to dedicated parks and Beaches, but does not include any City land leased to a third party;</p> <p>“Smoke” or “Smoking” means to purposely inhale or exhale smoke from or burn or carry, a lighted cigarette, cigar, pipe, e-cigarette or other lighted smoking equipment burning tobacco or any other weed or substance, but does not apply to the ceremonial use of tobacco in connection with a traditional aboriginal cultural activity;</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
							public walkways (s. 3(b)) <ul style="list-style-type: none"> <li>municipal recreation building (s. 3(c))</li> <li>Jack Loucks Court plaza and Rogers Plaza (s. 3(d))</li> </ul>	<i>"Swimming Beach"</i> means an area adjacent to the shore of the ocean or other body of water that is used for swimming;
North Vancouver (District)	9	86,602	Smoking Regulation Bylaw 7792, 2010 (2010)		X	X	6 m within: <ul style="list-style-type: none"> <li>building, transit/taxi stop, transit/taxi shelter, transit vehicle (except if that person is alone) (s. 3 (d))</li> <li>outdoor customer service area (s. 3(e))</li> <li>door, window, air intake, or building opening (s. 3(f))</li> <li>children's play equipment, playground, playing field (if no other people are present), swimming beach, food concession, picnic area or</li> </ul>	4. A person must not smoke in or within 6 metres of: <ol style="list-style-type: none"> <li>children's play equipment or a playground, playing field (if other persons are present), Swimming Beach, food concession, picnic area or skateboard park in a Park;</li> <li>any part of a Park or other municipal property that is being used for any public event or activity that the District has authorized by the issuance of a permit;</li> <li>Lynn Valley Village or Maplewood Farm.</li> </ol> <p><i>"Park"</i> means any real property owned or occupied by the District for the purpose of pleasure, recreation or community use by the public, including but not limited to dedicated parks, Swimming Beaches and Maplewood Farm, but does not include any District land leased to a third party;</p> <p><i>"Smoke"</i> or <i>"Smoking"</i> means to purposely inhale or exhale smoke from or burn or carry, a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance, but does not</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
							skateboard park (s. 4(a)) <ul style="list-style-type: none"> <li>area of park or municipal property being used for a public event or permit activity, except for public walkways (s. 4(b))</li> <li>municipal recreation building (s. 4(c))</li> <li>Lynn Valley Village or Maplewood Farm (s. 4(d))</li> </ul>	apply to the ceremonial use of tobacco in connection with a traditional aboriginal cultural activity; <i>"Swimming Beach"</i> means an area adjacent to the shore of the ocean or other body of water that is used for swimming;
Pitt Meadows (City)	18	19,090	Tobacco Sales and Smoking in Public Places Regulation Bylaw No. 2358, 2008 (2008)			X	7.5 m within: <ul style="list-style-type: none"> <li>public or workplace doorway, window or air intake (s. 3(3))</li> </ul>	3 (1). No person shall carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or burn tobacco in another manner in any school yard or inside any part of a building, structure or vehicle or passenger conveyance, except in a private residence or a private vehicle.  <i>"school yard"</i> means that portion of the lands of a school as defined in the School Act without buildings or structures.

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
Port Coquitlam <i>(City)</i>	12	61,187	Smoking Control Bylaw, 2018, No. 4037 <i>(2018)</i>	X	X	X	X	7.5 m within: <ul style="list-style-type: none"> <li>public building entrance, window or air intake vent (s. 4.1)</li> <li>transit stop or shelter</li> </ul>	<p>4. A person may not smoke:</p> <p>4.3 in any City park, sports venue, playground or outdoor public space;</p> <p>4.4 on a City street when used as part of an outdoor public event or when contrary to paragraphs (a), (b) or (f);</p> <p>5. This Bylaw does not apply to:</p> <p>5.1 ceremonial use of tobacco in relation to a traditional First Nation’s cultural activity;</p> <p>5.2 smoking by an actor as part of a stage or theatrical performance to which the public is invited.</p> <p>“e-cigarette” means:</p> <p>(a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an substance for inhalation or release in the air, or</p> <p>(b) a prescribed product or device similar in nature or use to a product or device described in paragraph (a)</p> <p>“e-substance” means a solid, liquid or gas, that:</p> <p>(a) upon being heated, produces a vapour for use in an e-cigarette, whether or not the solid, liquid or gas contains nicotine; and</p> <p>(b) is not a controlled substance within the meaning of the Controlled Drugs and Substances Act, S.C 1996.</p> <p>“outdoor public space” means any outdoor area owned, controlled, or</p>



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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
								<p>operated by the City that is open to the public or to which the public is customarily admitted or invited, and includes any:</p> <ul style="list-style-type: none"> <li>(a) children’s playground;</li> <li>(b) playing field, sports venue, stadium, or sports facility;</li> <li>(c) City trail;</li> <li>(d) outdoor recreational facility;</li> <li>(e) utility easement;</li> <li>(f) City street when used as part of an outdoor public event.</li> </ul> <p>“outdoor public event” means any public event where the public is invited to gather on any outdoor area of City owned, controlled or operated property, including any park, public square or street, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) a market, contest, festival, celebration, fair, exhibition or concert;</li> <li>(b) an outdoor public event on any City owned, controlled or operated property that is leased to a third party; or</li> <li>(c) any event for which a City rental or use permit is required.</li> </ul> <p>“park” means any real property owned or occupied by the City for the purpose of pleasure, recreation or community use by the public, including, but not limited to dedicated parks, but does not include any City land leased to a third party;</p> <p>“smoke” or “smoking” means the inhaling, exhaling, burning, or carrying of a lighted cigarette, cigar, pipe, hookah pipe, e-cigarette or other smoking equipment that burns tobacco, cannabis, hops, lettuce, comfrey, motherwort, honeyweed, catnip, lily, sage, wireweed</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
								or any other plant, substance or material.	
Port Moody (City)	15	34,193	Smoking Regulation Bylaw No. 2773  (2008)	X	X	X		7.5 m within: <ul style="list-style-type: none"> <li>public or workplace entryway, window or air intake (s. 4.1(h))</li> </ul>	4.1 A person must not smoke in any: <ul style="list-style-type: none"> <li>(d) School premises</li> <li>(e) City parks, sport venues, playgrounds or beaches</li> </ul> "smoke" or "smoking" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance;

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
Surrey (City)	2	543,940	Parks, Recreation and Cultural Facilities Regulation Bylaw, 1998, No. 13480  (2011)  Surrey Public Health Smoking Protection Bylaw No. 16694  (2008)	X	X	X	7.5 m within: <ul style="list-style-type: none"> <li>Enclosed or partially enclosed transit/taxi shelter (s. 2.1(d)(i))</li> <li>transit bench (s. 2.1(d)(ii))</li> <li>transit stop (s. 2.1(d)(iii))</li> <li>door, window, air intake, or building opening (s. 2.1(f))</li> <li>customer service area (s. 2.1(h))</li> </ul>	19.1 No person shall smoke within a park except in an area designated and posted for such purpose by the General Manager.  "Activated e-cigarette" means an e-cigarette in which an e-substance is being vapourized.  "e-cigarette" means the following: (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air; (b) a product or device similar in nature or use to a product or device described in clause (a).  "e-substance" means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine.  "Smoke" or "Smoking" means to inhale, exhale, burn or carry: (a) a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco or other weed or substance; or (b) an activated e-cigarette.

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions				No Smoking Buffer (Paraphrased)	No Smoking in Parks
Vancouver (City)	1	653,046	Park Board Smoking Regulation Bylaw  (2010)  Health Bylaw No. 9535  (2014)	X	X		X	6 m within: <ul style="list-style-type: none"> <li>door, window, air intake, or building opening (s. 2.2(e))</li> <li>customer service area (s. 2.2(h))</li> </ul> (e-cigarettes are included in smoking buffer provisions, but not in parks prohibition)	3.1 A person must not smoke: <ul style="list-style-type: none"> <li>(a) in a park;</li> <li>(b) on a seawall or beach in a park;</li> <li>(c) in a building in a park, except in a caretaker's residence;</li> <li>(d) in a customer service area in a park;</li> <li>(e) in a vehicle for hire in a park;</li> <li>(f) on public transit in a park; or</li> <li>(g) in an enclosed or partially enclosed shelter in a park where people wait to board a vehicle for hire or public transit.</li> </ul> "smoke" or "smoking" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance;

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
West Vancouver (District)	14	40,923	Smoking Regulation Bylaw No. 4607, 2009 (2009)		X		6 m within: <ul style="list-style-type: none"> <li>enclosed or partially enclosed transit/taxi shelter (s. 5.1.4)</li> <li>customer service area (s. 5.1.7)</li> <li>door, window, air intake, or building opening (s. 5.1.8)</li> <li>beach or pool (s. 5.2.5)</li> <li>playing fields, picnic areas, food concessions, children's play equipment or organized fitness activities in a park or playground (s. 5.2.5)</li> <li>municipal building (s. 5.2.5)</li> <li>municipal recreation facility and skateboard parks (s. 5.2.5)</li> </ul>	5.2 A person shall not smoke: <ul style="list-style-type: none"> <li>5.2.1 on any swimming beach or in a wading or swimming pool;</li> <li>5.2.2 within the areas of a Municipal park, or playground where there are playing fields, picnic eating areas and picnic areas, food concessions or children's play equipment present, or organized fitness activities taking place;</li> <li>5.2.4 on the grounds of any municipal recreation facility, including skate board parks; or</li> <li>5.2.5 within six (6) metres of those places outlined in section 5.2.1, 5.2.2, 5.2.3 or 5.2.4.</li> </ul> <p>"smoke" or "smoking" means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, or other lighted smoking equipment that burns tobacco or other weed or substance;</p> <p>"swimming beach" includes the sand, rocks and logs adjacent to those areas designated as swimming or bathing beaches by the District;</p>

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Jurisdiction (Type)	# by Size	Pop.	Bylaw (Year Changed)	Smoking Prohibitions			No Smoking Buffer (Paraphrased)	No Smoking in Parks
White Rock (City)	17	19,288	Public Health Smoking Protection Bylaw, 2008, No. 1858  (2008)	X	X		7.5 m within: <ul style="list-style-type: none"> <li>door, window, or air intake (s. 2.1(f))</li> <li>customer service area (except for dwelling units adjacent to a dwelling unit in which the occupier is also operating a business) (s. 2.1(h))</li> </ul>	2.1 No person shall smoke: (i) in any outdoor gathering place under the jurisdiction of the City of White Rock including parks, sports fields, playgrounds, the promenade, the pier and the beach.  "smoke" or "smoking" means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, or other lighted smoking equipment burning tobacco or other weed or substance, but does not including smoking by actors as part of a stage or theatrical performance or as part of a traditional aboriginal cultural activity.



**Public Health Protection Bylaw No. 6989,  
Amendment Bylaw No. 9830**

The Council of the City of Richmond enacts as follows:

1. **Public Health Protection Bylaw No. 6989**, as amended, is further amended by:
  - (a) deleting subsection 6.1.1(d) and replacing it with the following:

“(d) in, or within nine (9) metres of, an enclosed or partially enclosed shelter where persons wait to board a **vehicle for hire** or public transit;”
  - (b) deleting subsection 6.1.1(e) and replacing it with the following:

“(e) within nine (9) metres of a sign post or sign indicating where persons wait to board a **vehicle for hire** or public transit;”
  - (c) deleting subsection 6.1.1(f) and replacing it with the following:

“(f) within nine (9) metres measured on the ground from a point directly below any point of any opening into any **building** including any door or window that opens or any air intake;”
  - (d) deleting subsection 6.1.1(h) and replacing it with the following:

“(h) within nine (9) metres of the perimeter of a **customer service area.**”
  - (e) deleting section 6.3 and replacing it with the following:

**“PART 6.3: PUBLIC PARK, SCHOOL GROUND AND OUTDOOR RECREATION REGULATIONS**

6.3.1 A person must not **smoke**:

    - (a) in a **public park** or **school ground**; or
    - (b) on or within twenty-five (25) metres of any **outdoor sport facility** or **playground.**”

(f) adding the following definition to section 8.1 in alphabetical order:

**“ACTIVATED E-CIGARETTE** means an **e-cigarette** in which an **e-substance** is being vapourized.

**E-CIGARETTE** means:

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an **e-substance** for inhalation or release into the air; or
- (b) a product or device similar in nature or use to a product or device described in paragraph (a).

**E-SUBSTANCE** means a solid, liquid or gas that, on being heated, produces a vapour for use in an **e-cigarette**, regardless of whether the solid, liquid or gas contains nicotine.

**PUBLIC PARK** means a Public Park described in the **City’s Public Parks and School Grounds Regulation Bylaw No. 8771**, as amended or replaced from time to time.

**SCHOOL GROUND** means a School Ground described in the **City’s Public Parks and School Grounds Regulation Bylaw No. 8771**, as amended or replaced from time to time.”

(g) deleting the following definitions in section 8.1 and replacing it with the following definition in alphabetical order:

**“SMOKE OR SMOKING** means to inhale, exhale, burn or carry:

- (a) a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco, cannabis or other weed or substance; or
- (b) an **activated e-cigarette**.”



2. This Bylaw is cited as “**Public Health Protection Bylaw No. 6989, Amendment Bylaw No. 9830,**” and is effective May 1, 2018.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CITY OF RICHMOND
APPROVED for content by originating Division
APPROVED for legality by Solicitor

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

## Redline Summary of Changes to Public Health Protection Bylaw No. 6989

### SUBDIVISION SIX: SMOKING CONTROL AND REGULATION

#### PART 6.1: AREAS OF SMOKING PROHIBITION

6.1.1 A person must not **smoke**:

- (a) in a **building**, other than:
  - (i) a **dwelling unit**;
  - (ii) a hotel or motel room or suite designated for **smoking** by an **operator**; or
  - (iii) enclosed **premises**:
    - A. that are not open to the public; and
    - B. where the only occupants of the **building** are the owner or owners of the **business** carried on in the **building**;
- (b) in a **vehicle for hire**, other than in Class J (rental vehicles) and Class M (tow trucks);
- (c) in a **vehicle** when any other occupant of the **vehicle** is under the age of nineteen (19) years of age;
- (d) in, or within ~~three (3)~~nine (9) metres of, an enclosed or partially enclosed shelter where persons wait to board a **vehicle for hire** or public transit;
- (e) within ~~six (6)~~nine (9) metres of a sign post or sign indicating where persons wait to board a **vehicle for hire** or public transit;
- (f) within ~~six (6)~~nine (9) metres measured on the ground from a point directly below any point of any opening into any **building** including any door or window that opens or any air intake;
- (g) in a **customer service area**; or
- (h) within ~~six (6)~~nine (9) metres of the perimeter of a **customer service area**.

...

#### PART 6.3: OUTDOOR SPORT FACILITY REGULATIONS

6.3.1 A person must not smoke:

- (a) In a public park or school ground; or
- (b) No person shall light a cigarette, cigar, pipe or other smoking equipment, smoke or use tobacco in any other manner, on or within twenty-five (25) metres of any **outdoor sport facility** or **playground**.

...

**SUBDIVISION EIGHT: INTERPRETATION**

**PART 8.1** In this bylaw, unless the context otherwise requires:

...

**ACTIVATED E-CIGARETTE** means an **e-cigarette** in which an **e-substance** is being vapourized.

**E-CIGARETTE** means:

(a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air; or

(b) a product or device similar in nature or use to a product or device described in paragraph (a).

**E-SUBSTANCE** means a solid, liquid or gas that, on being heated, produces a vapour for use in an **e-cigarette**, regardless of whether the solid, liquid or gas contains nicotine.

**PUBLIC PARK** means a **Public Park** described in the **City's Public Parks and School Grounds Regulation Bylaw No. 8771**, as amended or replaced from time to time.

**SCHOOL GROUND** means a **School Ground** described in the **City's Public Parks and School Grounds Regulation Bylaw No. 8771**, as amended or replaced from time to time.

**SMOKE OR SMOKING** means to inhale, exhale, burn or carry:

(a) a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco, cannabis or other weed or substance; or

(b) an activated e-cigarette.



**BRITISH COLUMBIA  
LUNG ASSOCIATION**



February 13, 2018

Mayor and Council  
City of Richmond  
6911 Road No. 3  
Richmond, BC V6Y 2C1

**Re: Support for Strengthening the City of Richmond Public Health Protection Bylaw**

Dear Mayor Brodie and Councillors:

On behalf of the Clean Air Coalition of BC, we are pleased to endorse your proposed amendments to the Public Health Protection Bylaw that would strengthen smoking regulations, including prohibiting smoking and vapour products in public parks, school grounds and outdoor recreation sites, as well as increasing buffer zones to nine metres. Strong smoking regulations can significantly benefit communities. Regulations can protect against secondhand smoke, provide positive role modelling and reduce litter of discarded cigarette butts.

The evidence is clear that there is no safe level of exposure to second-hand smoke. Exposure can trigger asthma attacks, irritation to the eyes, skin, nose and throat, and most significantly, increases the risk of acute cardiac events and the risk of developing lung cancer and other lung diseases. Outdoor smoke-free spaces are important as studies demonstrate tobacco smoke can be just as toxic outdoors as indoors. Research on hospitality patios and entrances to office buildings show that levels of particulate matter can be high, as far as nine metres from a burning cigarette.

Cigarette litter also poses a health and environmental risk. Many people who smoke cigarettes routinely dispose of their cigarette butts on the ground. This litter not only poses a potential fire hazard for the city, especially during its dry period in the summer, but are also toxic to birds and other small animals.

Benefits of smoke-free places are that they provide positive role modelling and support people who want to quit smoking by eliminating social triggers. Children and youth who do not see others smoking or vaping will be less likely to view these as normal social behaviors, and thereby are less likely to start themselves. For those who do smoke, evidence supports that restrictions help users cut back or quit as well as help former smokers avoid relapse.

1212 West Broadway  
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[bc.lung.ca](http://bc.lung.ca)  
**GP - 43**

565 W. 10<sup>th</sup> Avenue  
Vancouver, BC V5Z 4J4  
T 604.872.4400  
[cancer.ca](http://cancer.ca)

Support for outdoor smoke-free spaces is strong with more than 70 communities in BC with tobacco bylaws with greater protections than BC's *Tobacco and Vapour Products Control Act*. Until all British Columbians are protected through provincial legislation, British Columbians look to municipalities to continue to lead the way by developing or strengthening their own community bylaws.

We believe all British Columbians have the right to equitable access to clean air and positive role modelling. We encourage all BC municipalities to follow your lead and implement comprehensive outdoor smoke and vape-free bylaws that protect residents and their families from secondhand smoke exposure.

Again thank you for the opportunity to provide endorsement of your proposed Public Health Protection Bylaw amendments.

Sincerely,



Adrienne Bakker  
CEO, BC & Yukon  
Heart & Stroke



Chris Lam  
President & CEO  
BC Lung Association



Andrea Seale  
Executive Director  
Canadian Cancer Society  
BC and Yukon