

# Public Health COMMUNIQUÉ

March 1, 2019

## Smoke-Free Ontario updates that will effect municipalities

Throughout 2018, there were significant changes to the *Smoke-Free Ontario Act (SFOA), 2017* and *Smoke-Free Ontario Regulation*. The *SFOA, 2017* was scheduled to come into effect July 1, 2018 but was paused and reviewed by the new provincial government. The *SFOA, 2017* was then revised, received royal assent, and came in to effect October 17, 2018. The *SFOA, 2017* repeals and replaces the former *Smoke-Free Ontario Act* and *Electronic Cigarettes Act, 2015*.

**Below is a list of changes that will effect municipalities. We want to ensure municipalities are up-to-date with the changes that occurred last fall.**

### [Smoke Free Ontario Act](#)

Electronic cigarettes and lighted cannabis (medical or non-medical) are now included in the *SFOA, 2017* and are prohibited from use anywhere lighted tobacco is prohibited including:

- Sports fields
- Play grounds
- Enclosed workplaces (including vehicles)

### **Impact of change:**

- Policies will need to be in place for enclosed workplaces, including work vehicles
- New signage will be provided by the NWHU for each of your buildings
- New signage for sports fields and play grounds will be provided
- Municipalities should consider updating existing smoke free by-laws to include not only tobacco, but also electronic cigarettes and cannabis. Municipalities can also consider developing new by-laws to further protect community members from second-hand smoke and vapour

### [Smoke Free Ontario Regulation](#)

**New Change:** Addition of a 20 metre radius around municipal playgrounds, play areas and sporting areas.

- Cannot use lighted tobacco, lighted cannabis (medical or non-medical) and e-cigarettes on the grounds and within a 20 metre radius surrounding any point on the perimeter of municipal



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playgrounds, play areas or sports areas. The definition of playgrounds, play areas and sporting areas can be found under Section 8 and 9 of the regulation.

- **Impact of change:** The NWHU will provide the required signage for playgrounds, play areas and sporting areas for the municipality to post. If you have tobacco mentioned in your rental agreements of any of these facilities, they should be updated to reflect cannabis and e-cigarettes.

**New Change:** Addition of a 20 metre radius around a community recreational facility.

- Cannot use lighted tobacco, lighted cannabis (medical or non-medical) and e-cigarettes on the grounds and within a 20 metre radius surrounding any point on the perimeter of a community recreational facility. The definition of community recreation facility can be found under Section 11 of the regulation.
- **Impact of change:** The NWHU will provide the required signage for any community recreational facilities for the municipality to post. Municipalities are responsible to ensure that the public is made aware that the grounds of a community recreational facility is smoke free, and ensure that the public are following that requirement.

Please contact the Northwestern Health Unit if you have questions about any of these regulation updates or want more information on smoke/vape free spaces by-law development.

**Resources:** (links)

For more information on the SFOA, 2017, please visit:

[Smoke-Free Ontario Act](#)  
[Smoke-Free Ontario Regulation](#)

**Contact for SFOA questions :**

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