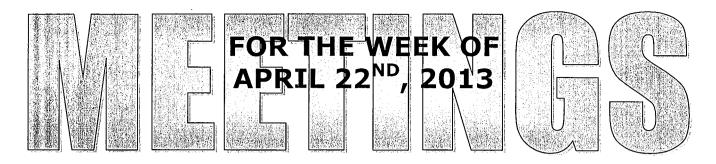




Committee Meeting of Council April 22, 2013 at 7:00 p.m.



Monday, April 22, 2013

7:00 p.m.

Committee Meeting of Council Council Chambers, 2nd Floor, City Hall



Monday, April 22, 2013

7:00 p.m.

Conseil Scolarie de District Catholique Franco-Nord Beno

GENERAL GOVERNMENT COMMITTEE

Monday, April 22, 2013 Page 1

Chairperson: Vice-Chair:

Councillor Lawlor
Councillor Anthony

Members:

Councillors Bain, Maroosis

Ex-Officio:

Mayor McDonald

GG-2011-16

Report from C.M. Conrad dated August 2, 2011 re Election campaign signs (C07/2011/ELECT/GENERAL).

GG-2012-10

Report from Laura Boissonneault / Margaret Karpenko dated November 21, 2012 re 2013 Administration Recommended Operating Budget (F05/2012/2013/OPEBU/GENERAL).

GG-2013-03

Report from Christina Murphy dated January 7, 2013 re *Provincial Offences Act* – Conflict of Interest Policy (P16/2013/POA/COIPOLCY).

▶GG-2013-05

Report from Al Lang & Margaret Karpenko dated February 25, 2013 re 2013 Development Charges (F21/2013/DEVCH/GENERAL).

▶GG-2013-06

Report from Christina Murphy dated March 8, 2013 re Smoking By-Law, Restaurant and Bar Patio Amendment (C00/2013/BYLAW/SMOKING).

GG-2013-05

Draft Recommendation:

"That the Chief Financial Officer be authorized to increase Development Charges rates for 2013 by 1.6%, as outlined in Report to Council CORP 2013-28 dated February 25, 2013 from Al Lang & Margaret Karpenko."

CITY OF NORTH BAY

REPORT TO COUNCIL

HEB 2 7 2013

CIERRO DEFI.

Date: February 25, 2013

Report No: CORP 2013 - 28

Originator: Al Lang / Margaret Karpenko

Subject: 2013 Development Charges

RECOMMENDATIONS:

 That the Chief Financial Officer be authorized to increase Development Charges rates for 2013 by 1.6% as outlined in Report No. CORP 2013 - 28; and

2. That the rate increase be referred to the General Government Committee for a public meeting.

BACKGROUND:

The Development Charges Act, 1997 states that the council of a municipality may by by-law impose Development Charges against land to pay for growth related capital costs associated with meeting the service requirements of new development.

The underlying principle of Development Charges is that growth should pay for capital costs associated with servicing new growth and not place a burden on existing taxpayers. When capital costs associated with new growth are not recovered from Development Charges, the result is higher taxes for existing taxpayers, or, a lower level of service being provided by the City. The City has imposed a Development Charge since the Development Charges Act came into effect in 1998.

City Council passed Development Charges By-Law No. 2009-252 on December 14, 2009. Clause 16 of this by-Law states that "Council may adjust the development charges annually, without amendment to the by-law in accordance with the most recent 12 month change in the Statistics Canada Quarterly "Construction Price Index"." The "Non-Residential Building Construction Price Index" for the most recent twelve month period was 2.4%. This index has been used consistently in past years to determine any rate adjustments.

The index in 2011 was 1% and Council approved an increase of 1%. In 2012 the index was 3.9%. Council approved an increase of 1.9% as recommended by the CFO. This indexing reflected the general CPI rate and was used in the 2012 budget for the Long Term Capital Funding Policy.

At a meeting of the Development Liaison Advisory Committee (DLAC) on January 29, 2013, Administration reported on the 2013 CPI increase, 2013 phase-in rates and the building permits issued in the surrounding communities. Two fewer new residential unit building permits were issued in 2012 than in 2011 in North Bay. That amounted to 43.4% of all new residential unit building permits issued in North Bay, Callander, East Ferris and West Nipissing in 2012. Over the past 4 years North Bay's new residential unit building permits have averaged 43.5% of all permits issued in the 4 communities. It doesn't appear that North Bay is losing ground to the surrounding communities in terms of new residential unit building permits. Only one other community in the surrounding area, Callander, charges a development charge.

At that DLAC meeting, developers were in general agreement that the development charges in North Bay made it more difficult to compete with the surrounding communities. It was felt that this was more evident in the construction of smaller affordable housing where the development charge becomes a greater percentage of the selling price. They agreed that they should form a group that would meet with the consultant during the next background study in 2014 to discuss options.

On hearing their concerns, and in an effort to minimize the impact on development, the Chief Financial Officer is recommending an indexing increase of 1.6% being the average between the 2.4% Statistics Canada rate and the general CPI of .8% for the same period. This is a fair and reasonable increase. The gap between the actual rate and the total eligible rate widens when a zero percent or any other increase less than the Statistics Canada rate is approved.

A comparison of Development Charges for 2013 after phase-in is as follows:

	Single and Semi Detached	Entry- Level Detached & Semi Detached	Multiple	Apartments	Dwellings in Rural Areas	Non- Residential per Square Foot of Gross Floor Area
Rate with 1.6% Indexing	\$8,611	\$7,321	\$7,074	\$4,091	\$4,306	\$3.04
Rate without Indexing	\$8,476	\$7,204	\$6,971	\$4,030	\$4,238	\$2,99
\$ Change	\$135	\$117	\$103	\$61	\$68	\$.05
\$ Change with 2.4% Indexing	\$203	\$173	\$158	\$92 ·	\$102	\$0.07

The 2013 rates in Schedule "B" of By-Law No. 2012-135 for 2013 would be changed as follows:

Schedule "B" of By-Law No. 2012-135 2013 Phase - In with 1.6% Indexing						
Detached and Semi Detached	Entry- Level Detached and Semi Detached	Multiple	Apartments	Dwellings in Rural Areas	Non-Residential Per Sq. Ft of Gross Floor Area	
\$8,611	\$7,321	\$7,074	\$4,091	\$4,306	\$3.04	

The rate charged for the Area – Specific Development Charge for Cedar Heights in Schedule "C" of By-Law No. 2012-135 would be increased by 1.6% to \$1,274 from \$1,254. The complete Schedule "B' and Schedule "C" are attached to this report.

ANALYSIS / OPTIONS:

Option #1- Proceed with the indexed rate changes of 1.6% as provided for in the by- law.

Option #2 - Make no amendments to the rates.

Option # 3 - Proceed with an increase of any rate change up to the indexed rate change of 1.6%.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS:

Option # 1 is recommended as follows:

- 1. That the Chief Financial Officer be authorized to increase Development Charges rates for 2013 by 1.6% as outlined in Report No. CORP 2013 28; and
- 2. That the rate increase be referred to the General Government Committee for a public meeting.

Respectfully submitted,

Al Lang, CGA

Manager, Policy, Investments & Grants

We concur with this report and recommendations.

Margaret Karpenko, CMA

Chief Financial Officer / Treasurer

Jerry Knox

Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

Attachments: Schedule "B" and "C" to By-Law No. 2012-135

Word/Finserv/Ali/Development Charge\2013 DC RTC Feb 25 13

THIS IS SCHEDULE "B" TO BY-LAW NO. 2012-135 OF THE CORPORATION OF THE CITY OF NORTH BAY

		NORTH BAY				
City of North Bay	Resid	dential Developme	nt Charge (p	er Dwelling U	nit)	
Development						Non-
Charges					_	Residential
	Detached &	Entry-Level	Multiple	Apartments	Dwellings	Per Square
	Semi	Detached & Semi			in Rural	Foot of Gross
Service Area	Detached	Detached	0040 DI	<u> </u>	Areas	Floor Area
			2010 Pha	se - In		
ransportation Roads & Public Works)	\$2,326	\$1,977	\$1,911	\$1,105	\$2,026	\$0.68
Protection - Fire & Police	\$97	\$82	\$1,811	\$46	\$2,020	\$0.06
Parks & Recreation	\$720	\$612	\$591	\$342	\$360	\$0.00
ibrary	\$156	\$133	\$128	\$74	\$78	\$0.00
Studies	\$8	\$7	\$7	\$4	\$4	\$0.04
Sub Total	\$3,307	\$2,811	\$2,716	\$1,571	\$2,516	\$0.78
Vater & Sewer	\$1,725	\$1,466	\$1,417	\$819	\$0	\$0.46
Total	\$5,032	\$4,277	\$4,133	\$2,390	\$2,516	\$1.24
	- <u>L</u>	<u> </u>	<u> </u>	<u> </u>		
			2011 Pha	ıse - In		
Fransportation						
Roads & Public Works)	\$3,004	\$2,552	\$2,467	\$1,427	\$2,505	\$1.01
Protection - Fire & Police	\$188	\$160	\$155	\$89	\$94	\$0.13
Parks & Recreation	\$775	\$659	\$636	\$368	\$387	\$0.00
ibrary	\$171	\$145	\$140	\$81	\$86	\$0.00
Studies	\$16	\$14	\$35	\$20	\$8	\$0.04
Sub Total Water & Sewer	\$4,153 \$2,007	\$3,530 \$4,706	\$3,434	\$1,985	\$3,080	\$1.18
Total	\$2,007 \$6,160	\$1,706 \$5,236	\$1,648 \$5,082	\$953 \$2,938	\$0 \$3,080	\$0.64 \$1.82
Total	Ψ0,100	Ψ3,230	\$5,002	Ψ2,930	\$3,000	φ1.02
			2012 Pha	ase - In		
Transportation	·		1			
(Roads & Public Works)	\$3,728	\$3,169	\$3,062	\$1,770	\$3,021	\$1.36
Protection - Fire & Police	\$283	\$240	\$232	\$135	\$142	\$0.20
Parks & Recreation	\$838	\$71.2	\$689	\$398	\$419	\$0.00
Library	\$187	\$160	\$155	\$89	\$94	\$0.00
Studies	\$25	\$21	\$36	\$20	\$13	\$0.04
Sub Total	\$5,061	\$4,302	\$4,174	\$2,412	\$3,689	\$1.60
Water & Sewer	\$2,314	\$1,968	\$1,900	\$1,100	\$0	\$0.83
Total	\$7,375	\$6,270	\$6,074	\$3,512	\$3,689	\$2.43
		· · · · · · · · · · · · · · · · · · ·				
T			2013 Ph	ase - In		
Transportation	£4.204	6 2.726	£2.640	£0.007	\$2,400	64.60
(Roads & Public Works) Protection - Fire & Police	\$4,394 \$375	\$3,736 \$318	\$3,610	\$2,087 \$178	\$3,490 \$187	\$1.69 \$0.26
Protection - Fire & Police Parks & Recreation	\$375 \$887	\$753	\$308 \$728	\$178 \$421	\$187	\$0.26
Library	\$201	\$171	\$165	\$96	\$443 \$101	\$0.00
Studies	\$35	\$30	\$36	\$20	\$101	\$0.00
Sub Total	\$5,892	\$5,008	\$4,847	\$2,802	\$4,238	\$1.99
Water & Sewer	\$2,584	\$2,196	\$2,124	\$1,228	\$0	\$1.00
Total	\$8,476	\$7,204	\$6,971	\$4,030	\$4,238	\$2.99
					<u> </u>	
			2014 Pt	iase - In		
Transportation						_
(Roads & Public Works)	\$5,061	\$4,302	\$4,157	\$2,405	\$3,958	\$2.04
Protection - Fire & Police	\$467	\$396	\$383	\$221	\$233	\$0.34
Parks & Recreation	\$934	\$795	\$767	\$443	\$468	\$0.00
Library	\$214	\$182	\$176	\$102	\$107	\$0.00
Studies	\$44	\$38	\$37	\$21	\$22	\$0.04
Sub Total	\$6,720	\$5,713 \$2,425	\$5,520	\$3,192	\$4,788	\$2.42
Water & Sewer	\$2,854 \$9,574	\$2,425 \$8,138	\$2,345	\$1,355	\$0	\$1.15
Total		\$8,138 relopment is exemi	\$7,865	\$4,547	\$4,788	\$3.57

\$9,574 \$8,138 \$7,865 \$4,4 Industrial development is exempt under this by-law

"SCHEDULE "C" TO BY-LAW NO. 2012-135 OF THE CORPORATION OF THE CITY OF NORTH BAY

RATE SCHEDULE FOR ADDITIONAL AREA-SPECIFIC DEVELOPMENT CHARGES CEDAR HEIGHTS/COLLEGE EDUCATION CENTRE/HERITAGE FUND SPECIAL AREA

<u>Service</u>	Per Dwelling Unit	
Sanitary Sewer	\$212	
Water	<u>\$1,042</u>	
Total	<u>\$1,254</u>	
	•	

This development charge only applies within the Cedar Heights/College Education Centre/Heritage Fund special area as set out in Schedule "E".

GG-2013-06

Draft Recommendation:

- "That 1) Smoking By-Law No. 2012-97 be amended to prohibit smoking on, and within a nine (9) metre radius of, restaurant and bar patios whether enclosed or not;
 - 2) Smoking By-Law No. 2012-97 be amended to clarify that "highway" includes streets, roads and sidewalks;
 - 3) City Council appoint all contract Commissionaires as "Inspectors" for the purpose of enforcing the Smoking By-Law; and
 - 4) Council appoint all security staff designated by the North Bay Regional Health Centre as Inspectors for the purpose of enforcing the Smoking By-Law on the North Bay Regional Health Centre property."

City of North Bay Report to Council

Report No.: CORP-2013-005 Date: March 8, 2013

Originator: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Subject: Smoking By-Law, Restaurant and Bar Patio Amendment

RECOMMENDATIONS

1. That Smoking By-Law No. 2012-97 be amended to prohibit smoking on, and within a nine-metre radius of, restaurant and bar patios, whether enclosed or not.

- 2. That Smoking By-Law No. 2012-97 be amended to clarify that "highway" includes streets, roads, and sidewalks.
- 3. That Council pass a Resolution appointing all contract Commissionaires as "inspectors" for the purpose of enforcing the Smoking By-Law.
- 4. That Council pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as inspectors for the purpose of enforcing the Smoking By-Law on NBRHC property.

BACKGROUND

On August 2, 2011, North Bay City Council passed Resolution No. 2011-556. A copy of that Resolution is attached hereto as Schedule "A". The Resolution directed staff to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit (NBPSDHU) and report to Council regarding findings.

This Report addresses the second issue, smoking at commercial establishment patios.

The issue of smoking at City facilities is being handled by Parks, Recreation & Leisure Services. That review is the subject of Report to Council Number CSBU-2012-36, prepared by Sharon Kitlar, Manager Recreation and Leisure Services. Both Reports are being submitted to Council concurrently.

1. Provincial and Municipal Legislation

Since 2003, the City of North Bay has regulated smoking in public places and workplaces, by by-law, and has generally endeavored to conform to provincial legislation in its various forms.

Currently, the relevant provincial legislation is the *Smoke-Free Ontario Act*, SO 1994, c. 10. Since July 15, 2009, the *Smoke-Free Ontario Act* has prohibited smoking on restaurant and bar patios that are covered or partially covered by a physical barrier of any size. This is a broad prohibition that extends even to outdoor patios with umbrella coverage only.

On this issue, the City's by-law has remained less restrictive, and smoking continues to be permitted by the by-law on outdoor patios, even those that are partially enclosed.

Notwithstanding this, by virtue of section 115(10) of the *Municipal Act, 2001*, SO 2001, c. 25, the provision that is more restrictive of the smoking of tobacco prevails. Therefore, despite the

permissiveness of the City's by-law, the Smoke-Free Ontario Act provisions apply in the City of North Bay, and smoking is, in fact, prohibited on covered and partially covered restaurant and bar patios by virtue of the provincial legislation.

Not surprisingly, this inconsistency causes public confusion, discourages compliance with the provincial legislation, and restricts enforcement of smoke-free patios, as the provincial legislation may only be enforced by the Health Unit and not municipal by-law enforcement officers. Amendment of the Smoking By-Law to be consistent with the provincial legislation would solve these difficulties.

In choosing to implement such an amendment to the by-law, the City of North Bay would be joining a number of other cities across Ontario and Canada which have implemented 100% smoke-free patio by-laws, including Thunder Bay, Woodstock, Kingston, Ottawa, Whistler, Vancouver, and Victoria.

2. Effects of Second-Hand Smoke Outdoors

There is significant scientific evidence indicating that smoking outdoors does not reduce the level of exposure to second-hand smoke, nor the amount of harm caused by the second-hand smoke.

Attached as Schedule "B" to this Report to Council is a 2013 "Report on Smoke-Free Patios", submitted by Dr. Jim Chirico, Medical Officer of Health for the NBPSDHU. In his report, Dr. Chirico collates numerous scientific studies conducted between 2005 and 2011, which have reached this conclusion. He also reports that medical and health authorities around the world agree that there is no safe level of exposure to second-hand smoke.²

Both hospitality workers and patrons of restaurants and bars are affected by second-hand smoke on outdoor patios. Hospitality workers, in particular, are at high risk of exposure. Dr. Chirico points to research which has found that "blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking".

Research has also shown that cigarette smoke has considerable negative impact on air quality in outdoor patios and does not dissipate as quickly as many people think.⁴

Therefore, to provide the greatest protection for hospitality workers, patrons, and vulnerable members of our population, including children, a 100% ban on smoking on restaurant and bar patios is recommended, whether covered, partially covered, or uncovered.

In addition, a nine-metre no smoking buffer zone is recommended. This would provide workers and patrons with protection from second-hand smoke wafting into the area from patrons standing outside the patio or restaurant in order to smoke. It would also be consistent with the nine-metre no smoking perimeter around entranceways to municipal buildings and designated workplaces and apartment buildings that is currently provided by the City's Smoking By-Law.

Some participants in both the online survey and owner interviews suggested time-of-day and time-of-year restrictions on smoking. However, smoking curfews of this nature are not recommended, as they lend themselves to public uncertainty, thereby potentially decreasing compliance, and they provide only intermittent protection of hospitality workers and patrons. Therefore, this form of time-specific

^{1 &}quot;Report on Smoke-Free Patios", Schedule "B", at page 3.

² Ibid.

³ Ibid.

⁴ Ibid.

amendment is not recommended. Rather, a simple ban on smoking on and around outdoor commercial patios is recommended for optimal protection of the public and for ease of compliance and enforcement.

3. Community Consultation

In order to assess community sentiment concerning the feasibility of smoke-free patios, the City and the Health Unit conducted community consultation to seek the public's input on the proposed amendments. This involved (a) a community-wide online survey, and (b) interviews with local restaurant and bar owners.

(a) Online Survey:

A total of 563 individuals participated in the online survey conducted in August and September of 2012. The survey results, entitled "North Bay Smoke Free Community Survey", are attached to this Report as Schedule "C".

57% of respondents were in favour of smoke-free patios and, in addition, 58% were in favour of banning smoking within a nine-metre radius of patios.

Participants were also invited to submit their comments in the survey, and there were a total of 231 comments submitted. Not surprisingly, there were some common themes that arose in the submissions.

Many of those who were in favour of smoke-free patios cited the negative health effects of second-hand smoke, and their concerns for the health of their families, themselves, and our community as a whole. A number of respondents were empathetic to the personal choice made by smokers, but indicated that smokers should not impose their personal choice on others by smoking in public places. Many respondents indicated that they did not enjoy eating their food with cigarette smoke wafting by, and that it ruined their enjoyment of their dinner and/or ruined their appetite entirely. And numerous participants expressed their concern that smoking should never be allowed where children might be present, primarily because of the negative health effects, but also because it is important to set an example of a healthy non-smoking lifestyle for our children.

Among the comments submitted by opponents of smoke-free patios, there were also some repeated themes. Many respondents indicated their belief that outdoor restaurant patios were built to accommodate smokers in the first place when no-smoking laws were first introduced, so they were intended more for the benefit of smokers than non-smokers. It was frequently pointed out that non-smoking diners could make a choice to leave. Some individuals expressed their desire to quit smoking but that it is a difficult addiction to break, and they need some places to smoke. A number of respondents expressed their opinion that smoke-free patios would hurt local businesses economically. And many believed that, because restaurants and bars are private property, individual owners should have the right to make their own decisions about their establishments.

(b) Interviews with Restaurant / Bar Owners:

Ten local restaurant and bar owners agreed to participate in the interviews conducted by the Health Unit and City staff. This comprises the vast majority of those who would be affected by the proposed amendments. The results of these interviews are reported in Dr. Chirico's "Report on Smoke-Free

Patios"5.

Results were evenly split, with 50% of the interviewees opposed to any change to the existing by-law, and 50% in favour of smoke-free patios. Of those in favour, the majority were also in favour of establishing a nine-metre buffer zone.

Of the owners who opposed the amendments, many indicated that there should be freedom of choice for both patrons and business owners, and there should be less intervention by government.⁶

Conversely, the majority of owners who were in favour of smoke-free patios believed that government intervention was necessary. Many of these owners explained that, although they were in favour of providing smoke-free patios, they were not voluntarily doing so because they might lose a competitive edge with those businesses that continue to allow smoking. These owners support the by-law amendment as a way for them to move to a healthier smoke-free environment, while maintaining a level playing field for all local establishments.⁷

Some owners expressed concern about the proposed nine-metre smoke-free buffer zone where a patio is less than nine metres from a roadway. There was a belief that smoking customers would have to stand on the roadway in order to comply with the by-law. This is a common misconception that was also expressed by some of the participants in the online survey.

In fact, the concern is unfounded. By virtue of section 115(3) of the *Municipal Act*, 2001, a municipal by-law regulating smoking does not apply to a highway. "Highway", as defined by the *Municipal Act*, 2001 and interpreted by case law, includes city streets, roads, and sidewalks. Therefore, any ban on smoking created by our Smoking By-Law would end at the road allowance. City and Health Unit staff educated these owners on the laws of jurisdiction and explained that a no-smoking ban would not apply to sidewalks. However, to end any public confusion on this issue, it is recommended that the Smoking By-Law be amended to clearly define the term "highway" in accordance with the foregoing, and to clearly indicate that it includes sidewalks as well.

A common refrain from both sides of the debate was the need to respond to customer preferences. Owners both for and against the proposed amendments indicated that their position in supporting or opposing the amendments was based on customer demand.⁹

Despite basing their position on how their customers feel, however, the majority of owners did not believe that the proposed by-law amendments would affect their business either positively or negatively.¹⁰

4. Economic Impact of Smoke-Free Patios on Businesses

As reported by Dr. Chirico, this is in fact substantiated by research: "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases these policies have had a positive impact."¹¹

⁵ Schedule "B", at pages 4-7.

^{6 &}quot;Report on Smoke-Free Patios", Schedule "B", at page 6.

⁷ Ibid.

⁸ Ibid. at page 7.

⁹ Ibid. at page 5.

¹⁰ Ibid. at page 7.

¹¹ Ibid. at page 4.

Attached to this Report to Council, as Schedule "D", is a Ministry of Health fact sheet entitled "Smoke-Free Ontario Act as of May 31, 2006: Fact Sheet – Economic Impact of Smoke Free Policies". This is the document cited by Dr. Chirico, and it provides a critique of the relevant studies. Of particular interest is a study conducted by the Ontario Tobacco Research Unit on the economic impact of Ottawa's 100% ban on smoking in public places and workplaces, which came into effect in 2001. As noted by the Ministry of Health, "After accounting for trends, seasonal variations, and general economic conditions, the Ontario Tobacco Research Unit found no evidence that the smoke-free by-law adversely affected restaurant and bar sales."

5. Enforcement

(a) Enforcement of Smoke-Free Provisions:

Currently in North Bay, the Health Unit enforces the smoke-free patio provisions of the *Smoke-Free Ontario Act* reactively, when it receives a complaint about smoking on a patio or when an enforcement officer observes an infraction. However, the provincial legislation is subject to enforcement only by the Health Unit, and *not by municipal by-law enforcement officers*. As a result, when municipal by-law enforcement officers receive a complaint about smoking on a patio, they are powerless to act, and can only refer the complainant to the Health Unit for follow up.

As might be expected, the inconsistency between the provincial legislation and the City's by-law has caused public confusion as to where smoking is permitted in relation to patios, and which provisions apply.

Therefore, it is recommended that the City amend its Smoking By-law to be consistent with the provincial legislation in prohibiting smoking on outdoor restaurant and bar patios. Not only will this reduce public confusion and encourage compliance, but it will also assist in enforcement efforts. Municipal by-law enforcement officers would have authority to enforce the by-law, as would the Health Unit if it chose to do so. In addition, the Health Unit would continue to have authority to enforce the provincial legislation that is currently in place.

(b) Number of Municipal By-Law Enforcement Officers Who Can Enforce the Smoking By-Law:

The Smoking By-Law provides that an "inspector" may conduct inspections of any public place or workplace for the purposes of determining compliance with the by-law. "Inspector" is defined as "any employee or class of employee of the North Bay Parry Sound District Health Unit authorized by the Medical Officer of Health to carry out an inspection under and to enforce the provisions of this by-law, or a person or class of person appointed by Council of the City as a by-law enforcement officer to enforce this by-law". Accordingly, this by-law requires specific appointment by Council before an officer has authority to enforce it.

The only by-law enforcement officer who currently has authority to enforce the Smoking By-Law is the By-Law Enforcement Coordinator, Ron Melnyk, who has authority to enforce all City by-laws.

The City also retains contract workers employed by Commissionaires-Ottawa as by-law enforcement officers (known as "Commissionaires"). There are currently three full-time Commissionaires and one retained on a seasonal part-time basis. These officers currently enforce parking and other by-laws in the City, such as the Parks and Dog By-Laws. Officer Melnyk advises that it would be helpful if these officers were also appointed to enforce the Smoking By-Law. He advises that he could adjust officer assignments to include hours for enforcement of the Smoking By-Law, without increasing hours or costs.

Therefore, in order augment enforcement of the Smoking By-Law, it is recommended that Council pass a Resolution appointing all Commissionaires who are contracted to the City by Commissionaires-Ottawa as by-law enforcement officers for the purpose of enforcing the Smoking By-Law.

In addition, it should be noted that the previous version of the Smoking By-Law had been amended to provide that security staff at the North Bay Regional Health Centre (NBRHC) had authority to enforce the by-law on NBRHC property. When the current Smoking By-Law 2012-97 was drafted, this amendment was overlooked. Accordingly, it is recommended that Council pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as agents of the City for the purpose of enforcing the Smoking By-Law on NBRHC property.

OPTIONS ANALYSIS

1. Smoke-Free Patios

Option 1:

Amend the by-law to prohibit smoking on all outdoor restaurant and bar patios, regardless of whether they are covered, partially covered, or uncovered, as well as within a nine-metre radius of such patios.

Option 2:

Amend the by-law to prohibit smoking on all outdoor restaurant and bar patios, regardless of whether they are covered, partially covered, or uncovered.

Option 3:

Take no action and uphold the current by-law. Smoking on outdoor restaurant and bar patios would continue to be prohibited by virtue of the provincial legislation, but will continue to be enforced only by the Health Unit, and will not be enforceable by municipal by-law enforcement officers.

2. Clarification of "Highway"

Option 1:

Amend the by-law to define highway so that it is clear that a highway includes a street, road or sidewalk.

Option 2:

Take no action and uphold the current by-law.

3. Enforcement

Option 1:

Pass a Resolution appointing Commissionaires who are contracted to the City by Commissionaires-Ottawa as by-law enforcement officers for the purpose of enforcing the Smoking By-Law.

Option 2:

Pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as inspectors for the purpose of enforcing the Smoking By-Law on NBRHC property.

Option 3:

Take no action.

RECOMMENDED OPTIONS

1. Smoke-Free Patios

Option 1 is the recommended option.

2. Clarification of "Highway"

Option 1 is the recommended option.

3. Enforcement

Options 1 and 2 are the recommended options.

Respectfully submitted,

Christina A. (Tina) Murphy

Assistant City Solicitor / City Prosecutor

We concur in this report and recommendation.

Peter E. G. Leckie
City Solicitor

Jerny Knox

Chief Administrative Officer

Person designated for continuance: Tina Murphy, Assistant City Solicitor / City Prosecutor

Schedules Attached:

- A. North Bay City Council Resolution 2011-556.
- B. Report on Smoke-Free Patios, by Dr. J. Chirico, Medical Officer of Health, North Bay Parry Sound District Health Unit.
- C. North Bay Smoke Free Community Survey (2012), Online Survey Results.
- D. Ontario Ministry of Health Promotion, "Smoke-Free Ontario Act as of May 31, 2006: Fact Sheet Economic Impact of Smoke-Free Policies". Available online at: http://www.mhp.gov.on.ca/en/smoke-free/factsheets/Economic_Impact-041505.pdf.

INTER OFFICE		RECEIVED
		AUG 0.5 2011
MEMO	Council Se	cretariats

To:

Ian Kilgour

From:

Cathy Conrad

Subject:

Smoking Prohibition at Steve Omischl Sports Complex

Date:

4 August 2011

This is Resolution No. 2011-556, as amended, which was passed by Council at its Regular Meeting held Tuesday, August 2, 2011.

Resolution No. 2011-556:

- "That 1) smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex, including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries;
 - 2) Parks By-Law No. 35-96 be amended accordingly; and
 - 3) staff be directed to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings."

C. Carrad

Cathy Conrad, City Clerk.

CMC/cjc

Copy to:

J.D. Knox

Report on Smoke-Free Patios

To: Tina Murphy, Assis	stant City Solicitor and Sha	aron Kitlar, Manager Recr	eation and Leisure Services
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From: Dr. J. Chirico, Medical Officer of Health

Resource Staff: Brenda Marshall, Manager – Healthy Living and Reed Morrison, Community Health Promoter – Healthy Living

Subject: Amendment to smoking by-law 2012 - 97 re: smoke-free patios

Executive summary

The City of North Bay has consistently demonstrated their leadership among Canadian municipalities in protecting their residents from the harms of environmental tobacco smoke (ETS). Since 2011, the North Bay Regional Health Centre (NBRHC) has been protected by a 100% smoke-free property by-law. Likewise, businesses and multi-unit dwellings have the opportunity to apply for smoke-free entranceways under the same by-law. Building on recommendations from the City of North Bay Council and the North Bay Parry Sound District Health Unit (NBPSDHU) Board of Health (BOH), this report summarizes the policy options, rationale, and feasibility of amending by-law 2012 – 97 to include a smoking ban on all patios where food and drinks are consumed. The City of North Bay once again has the opportunity to demonstrate their leadership and commitment to the health of their residents by prohibiting smoking on all commercial establishment patios.

Recommendation

THAT city council amend by-law 2012 – 97, being a by-law to regulate smoking in public places and workplaces, as follows:

- 1. That Part 1 "Definitions" section 1.10 "outdoor patio" be deleted and replaced with the following
 - 1.10 "outdoor patio" means any outdoor area, whether enclosed or not, as well as a 9 metre zone from the perimeter of that area, that is adjacent to an establishment where food or beverages are sold and where food or beverages, or both, are consumed by the public;
- 2. That Part 1 "Definitions" section 1.13 "public place" be deleted and replaced with the following
 - 1.13 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry, which

includes outdoor patios as defined above, but does not include a street, road or highway;

3. That Part 1 "Definitions" section 1.15 "workplace" be deleted and replaced with the following

1.15 "workplace" means a building, structure, vessel, vehicle or conveyance or part thereof in which one or more employees work, including any other area utilized by employees, which includes outdoor patios as defined above, but does not include a street, road or highway.

Introduction

At the August 2, 2011 regular meeting, the City of North Bay Council directed municipal staff to work with the NBPSDHU to undertake a review of smoking at all commercial establishment patios and to report to council regarding their findings. Similarly, at the September 28, 2011 regular meeting, the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property;
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

This report will provide policy options as well as the rationale, reasoning, and feasibility for by-law 2012 – 97 to be amended as per the recommendations above.

Discussion

Issue

In order to protect patrons and staff from the detrimental effects of environmental tobacco smoke (ETS), the Smoke-Free Ontario Act (SFOA) was amended in July 2009 to clarify a smoking prohibition on outdoor patios if any portion is covered or partially covered (please refer to appendix A for more information). Despite this protection, smoking continues to occur on uncovered restaurant or bar patios, either from original design or from owner renovations to avoid this legislation. Due to this loophole in legislation, hospitality staff and patrons of bars and restaurants continue to be exposed to ETS. A 100% smoke-free patio by-law, which prohibits smoking on all commercial patios, provides the best possible protection for children, customers, and hospitality staff. Additionally, smoke-free policies, such as prohibiting smoking on patios, do more than protect people from ETS. Smoke-free policies also encourage people to quit smoking ^{1, 2}, make it easier for those who have already quit to remain smoke-free ³, and protect kids from starting to smoke ^{4, 5}. The evidence is clear that smoke-free patios will help make North Bay a healthier community.

Public Health Considerations and Rationale

- Second-hand smoke is as dangerous outdoors as it is indoors
 - O Although some people believe that second-hand smoke is less hazardous outdoors, this is NOT supported by scientific evidence. Medical and health authorities around the world, such as the World Health Organization ⁶, the Centres for Disease Control ⁷, and the NBPSDHU agree that there is no safe level of exposure to second-hand smoke. Several studies have shown that second-hand smoke exposure is similar in both outdoor and indoor smoking areas and that second-hand smoke is as toxic outdoors as indoors ⁸
 ¹⁹. In other words, smoking outdoors does not reduce the level of exposure or the amount of harm caused by second-hand smoke.
- Outdoor smoking areas are an unfair threat to workers' health
 - O Hospitality workers are at a particularly high risk of exposure to second-hand smoke on patios. Repeated brief and intermittent exposure, such as that experienced by hospitality workers, is dangerous. Research has shown that, "in many cases, the effects of even brief (minutes to hours) passive smoking are nearly as large as those from chronic active smoking" ²⁰. For example, researchers have found that blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking ²¹. Until the first smoke-free indoor laws were passed, hospitality workers were exposed to incredibly high levels of chemicals from tobacco smoke. These chemicals, such as 4-aminobephenol, are so dangerous that NO level of exposure was permitted for any other category of worker. As long as smoking is permitted on patios, people who work in these environments will continue to be unfairly exposed. 100% smoke-free indoor and outdoor workplaces provide the best protection for hospitality workers and patrons.
- Outdoor smoking areas are a threat to public health
 - o Smoke from outdoor smoking areas drifts its way indoors, thereby exposing patrons and workers and placing them at risk ^{22, 23}. Even for workers and patrons who remain indoors, adequate protection is best provided by a 100% smoke-free indoor and outdoor workplace.
- Smoking on patios creates poor air quality
 - o While a common argument is that cigarette smoke can easily dissipate in open air and therefore has little effect on air quality, research has shown otherwise. Scientists in Waterloo, ON, conducted experiments on the effect of as few as eight cigarettes on a typical restaurant patio that had no roof, walls, awnings, or umbrellas. Experiments were repeated 46 times in different wind conditions. They found in each test that when cigarettes are smoked, the quality of the air in the patio area falls considerably. Measurements of air pollutants, including those that cause cancer and heart disease, quadrupled in some cases ²⁴.

- Smoke-free patios will not result in decreased revenue
 - o Fears of negative economic impact have been coupled with the introduction of each successive smoking restriction in bars and restaurants. However, these fears and arguments are unfounded as, "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases, these policies have had a positive impact." In accordance with the SFOA, any patio that is covered or partially covered by a roof or awning in North Bay is already smoke-free; 100% smoke-free patios will simply level the playing field. Additionally, over 75% of North Bay residents do NOT smoke. Smoke-free patio policies will increase customer satisfaction for the vast majority of patrons.
- Reducing smoking among hospitality workers is good for business
 - o Restaurant and bar owners will appreciate the increase in productivity that follows from having a smoke-free workplace. Dozens of studies have shown that smoke-free workplaces increase the number of smokers who try to quit, increase the number who successfully quit, and decrease the number of cigarettes smoked by those who do not quit ²⁶⁻²⁸. Additionally, helping staff to quit smoking improves their health and productivity while reducing sick days ²⁹. In fact, Canadian studies have shown that the total annual cost to employers for an employee who smokes is well over \$3,000 due largely to higher absenteeism, decreased productivity, and higher insurance premiums³⁰.
- While North Bay will be a leader in North East Ontario, there is significant precedence for smoke-free patios in Canada Large city centres such as Vancouver, Ottawa, and Victoria have implemented 100% smoke-free patio by-laws. Furthermore, cities with demographics similar to North Bay, such as Thunder Bay, Woodstock, Kingston, and Whistler, also have 100% smoke-free patios.

Public support and community consultation

The NBPSDHU and the City of North Bay undertook extensive community consultations. This process included a community wide online survey as well key informant interviews with restaurant and bar owners.

- Online survey
 - A survey created by the City of North Bay and the NBPSDHU was distributed on August 17 2012 and sought to gain the opinion of the community at large. There were 563 respondents in total
 - o 57% of respondents were in favour of smoke-free patios
 - o 58% of respondents were in favour of smoke-free patios with 9m buffer zones
- Kev informant interviews
 - o Two staff members, one from the City of North Bay and one from the NBPSDHU, conducted interviews with restaurant and bar owners in order to record their opinions

- and insights. Owners were provided a background of the topic and assurance that their comments would remain anonymous. In total, ten owners agreed to be interviewed.
- o 50% were against any changes to the existing by-law
- o 50% were in favour of amending the by-law to ensure outdoor eating and drinking areas would be smoke-free. A strong majority of those (80%) also agreed with the creation of a 9m smoke-free buffer zone.
- After analyzing comments, several themes were brought forward by restaurant and bar owners;
 - O <u>Health concerns</u>: There was near unanimous recognition of the negative health effects of smoking and environmental tobacco smoke. Owners who disagree with a smoke-free patio by-law largely suggested that individuals were responsible for their own health and have the option to avoid smoke if they so wish. Quite the opposite, most owners who were in favour of a by-law suggested that the harm to patrons and staff caused by tobacco smoke provides ample reason to remove smoking from a patio.
 - Customer complaints; owners in favour of smoke-free patios were more likely to have received complaints from customers regarding smoking. Predictably, owners who were not in favour were far less likely to have received complaints. Several owners, both for and against, stated that many customers would not lodge a complaint even if they were unhappy with smoking occurring beside their table on a patio. Two owners discussed that tourists not accustomed with Canadian laws complained of our restrictive approach to smoking while another owner stated that they predict an increased number of complaints from their smoking clientele should their patio become smoke-free. In contrast, another owner claimed that the by-law will surely reduce the amount of complaints received from non-smoking customers.
 - o Responsive to clientele: Nearly every owner, both for and against, claimed that their stance was in response to demand by their clientele. Many owners stated that the majority of their clientele was non-smoking, and therefore a smoke-free patio would cater to their preferences. Similarly, owners who estimated that a large percentage of their clientele smoke were less supportive of smoke-free patios. One owner brought forward that it is the right of a business owner to be responsive to their clientele and a by-law that restricts smoking would be an affront to this right and to the concept of a 'free-market'. In contrast, a different owner suggested that restaurants are "in the business of taking care of customers. If you do not care about the wellbeing of your customers, then you are in the wrong business."
 - <u>Employee rights</u>: While not discussed by the majority of owners, one did state that it is the responsibility of the business owner to protect the rights and health of their staff. This owner did not feel that it is fair for the hospitality industry to force non-smokers to work in a smoking environment. Along this line, another owner commented that staff members who smoke were assigned duties involving cigarettes, such as clean-up or serving smoking tables.
 - o <u>Property damage and garbage</u>: While the majority of owners claimed that property damage due to cigarettes was minimal, two did mention that it posed a serious problem for their business. One restaurant in particular has been forced to call the fire

department several times because of fires caused by cigarette butts. Nearly every owner, both for and against, did mention that cigarette butts represented a major source of litter on their patios and property. One owner proposed that the City might find that the number of cigarette butts on downtown sidewalks would increase if customers were no longer able to smoke on patios. Most owners in favour were hopeful that more cigarette receptacles would concentrate cigarette litter in one area.

- o <u>Freedom of choice</u>: This topic was brought forward most often by owners who were not in favour of smoke-free patios. This was framed in two ways; the first being that customers should be allowed to smoke as the product in question is not illegal and it is a personal choice. Similarly, most added that non-smokers have the right to move or to not choose a restaurant that allows smoking if they are concerned for their health. Owners not in favour of smoke-free patios also framed the issue in such a way that business owners should have the right to choose how they operate their business.
- The role of government: With respect to government decisions affecting all owners, those in favour and those not in favour of smoke-free patios had vastly different opinions. Some owners not in favour suggested that less intervention by government with respect to smoking is better. Additionally, two owners claimed that government intervention was tantamount to discrimination. Conversely, most owners in favour of smoke-free patios concluded that government intervention was necessary. Many owners in favour discussed how they would not make their patio smoke-free without a by-law requiring the same of all North Bay patios. Most often, this was framed as 'creating a level playing field' and as the only way to fairly introduce smoke-free patios without hurting individual businesses.
- o Respect for children / families: Many owners, both for and against, highlighted the need to keep environmental tobacco smoke away from young children. Many owners claimed that it was difficult to see smoking occurring beside their young customers.
- o Existing policies that are more restrictive that current legislation: Several owners based restaurant-level policies on the need to protect non-smoking clientele and children. Many owners have either considered or already implemented policies on their patios such as no-smoking during peak meal times, having a smoking as well as a non-smoking patio, or creating a small smoking area on a patio that is further away from families. All restaurant owners mentioned that they had created policies requiring staff who smoke to do so away customers and eating areas.
- <u>Alternative policies</u>: Some owners who were not in favour of smoke-free patios suggested that alternative policies were better suited to their business and our northern climate. The first alternative policy was to allow smoking after a certain time of the day (in most cases this would be following their dinner rush). They claimed that this would allow most customers to enjoy their meals on a smoke-free patio without affecting their after dinner crowd. Several other owners stated that their patio served as a smoking area during the winter months, with little to no food or drink being consumed during that time. They suggested that a smoking ban during the summer months might be more relevant. However, this was countered by another owner who claimed that an

- outdoor smoking area, even where food and drink are not consumed, would not eliminate the amount of smoke wafting indoors.
- <u>Business outcomes</u>: While the majority of owners did not believe that a smoke-free patio by-law would affect their business either positively or negatively, a small number of owners fell on either side of this opinion. Some of the opposing owners pointed to research that indicate smokers spend more on hospitality than non-smokers as well as suggesting that tourists who smoke will be less likely to visit and dine in North Bay. Some owners in support of a by-law anticipated increased business as customers who previously did not visit their restaurants would be more likely to do so if the patios were smoke-free.
- o <u>Some difficulties of 9 m buffer zones</u>: Several questions were raised with regards to a 9 metre smoke-free buffer zone surrounding patios. The most commonly raised concern was that, in many cases, 9 m would place a customer who is smoking in the middle of the road or would overlap with another restaurant's 9 m buffer zone. City and Health Unit staff educated owners on laws of jurisdiction and reminded them that a nosmoking ban would effectively end at a road allowance. In other cases, some restaurant owners were concerned that this might increase the amount of customers leaving the premises without paying, however most of these concerns subsided when it was discussed that this does not happen during the winter months when customers who smoke must also do so outside.

Policy Options

- 1) Continue with no changes to by-law
 - a. Continuing with status quo fails to adequately protect patrons and hospitality workers from environmental tobacco smoke
- 2) Prohibit smoking on all outdoor eating and drinking areas at certain times of the day or year
 - a. This option would allow for smoking on outdoor patios at certain times of the day (for example, after 10:00 pm) or year (for example, between the months of October and March).
 - b. This option is exceedingly difficult for owners and hospitality staff to enforce as it creates large 'grey zones' where both patrons and staff may be unsure if the by-law applies
 - c. This option also does not provide adequate protection from environmental tobacco smoke as it does not address smoke wafting indoors and staff may still be required to serve in smoking areas.
 - d. These options were proposed by a small minority (two) of bar / restaurant owners.
- 3) Prohibit smoking on ALL outdoor eating and drinking areas at all times of the day and year
 - a. This option greatly enhances protection for children, patrons, and hospitality workers by prohibiting smoking within all defined outdoor eating and drinking areas.
 - b. Easiest to enforce for hospitality staff, employers, and enforcement staff

- c. The possibility for smoking directly beside the outdoor eating and drinking area, resulting in many of the same issues highlighted above.
- 4) Smoke-free patios and a 9 m buffer around patios
 - a. This option provides the highest level of protection for children, patrons, and hospitality workers by prohibiting smoking within the defined outdoor eating and drinking area, as well as a buffer zone surrounding it, to reduce the amount of drifting smoke and the possibility of smoking occurring directly beside the outdoor eating area.
 - b. As this option provides the greatest protection from the harms caused by second-hand smoke and it is preferred by half of restaurant / bar owners, it is the recommendation of the NBPSDHU that the City of North Bay adopt this as by-law.

Legal implication

The recommendations made within this report require review by The City of North Bay Legal Services Department. There do not appear to be, however, any legal impediments to the implementation of these recommendations. Pursuant to Section 115(1) of the *Municipal Act, 2001*, the City of North Bay has the statutory discretion to adopt a by-law that prohibits or regulates the smoking of tobacco in workplaces and public places. Furthermore, Subsection 115 (10) of the *Municipal Act, 2001* provides that a municipal by-law that is more restrictive of smoking prevails over any conflicting provisions of the provincial *Smoke-Free Ontario Act, 2006*. Independent of this specific authority to regulate the smoking of tobacco, the City of North Bay also has the broad authority to enact by-laws in respect of the health, safety, and well-being of persons pursuant of paragraph 6 of Subsection 10(2) of the *Municipal Act, 2001*. The one exclusion under Subsection115 (3) is that a by-law shall not apply to a highway, except that it may apply to public transportation vehicles and taxicabs on a highway. This exclusion limits the restriction on smoking within a 9m buffer zone of patios when the smoking takes place in a space that can be defined as a highway.

Financial implications

There are no anticipated significant costs associated with the implementation of these recommendations by the City of North Bay. Recent experiences with the implementation of 100% smoke-free patio by-laws elsewhere in Ontario, as well as experience with current smoke-free patio legislation, indicate that this type of by-law is generally self-enforcing, and thus actual enforcement activity and costs should be minimal. The costs of educating the public and business owners, producing new signage and primary enforcement of the by-law will be minimal.

Other considerations

The adoption of a 100% smoke-free patio by-law is part of a comprehensive approach to tobacco control which includes initiatives in tobacco use prevention, cessation, and protection. This approach to eliminate commercial tobacco use requires commitment from a variety of stakeholders, including municipal and provincial governments, law enforcement agencies, social service organizations, and health organizations such as the NBPSDHU. The NBPSDHU is committed to this comprehensive

approach to tobacco control and supports it with strategic initiatives in tobacco use cessation, prevention, and protection.

Initiatives by the City of North Bay to help control tobacco are well supported not only by the NBPSDHU, but by all other stakeholders involved in tobacco control. The NBPSDHU encourages City Council to view the adoption of this by-law not as an isolated action with a small benefit, but as part of a larger approach that will eliminate commercial tobacco from our society.

Conclusion

The combination of public concern, business support, and a myriad of health research supporting 100% smoke-free patios provides an excellent rationale for the Council of the City of North Bay to adopt the recommendations made in this report. It is also worth noting the important role that smoke-free patios play in the larger movement towards smoke-free outdoor spaces. It is critical that the City of North Bay deliver consistent messaging and rules for all outdoor spaces in order to create a tobacco-free culture. Supporting a 100% smoke-free patio by-law, along with other by-laws which prohibit smoking in outdoor spaces, will further cement the City of North Bay as a municipality that is wholeheartedly invested in the health and wellbeing of its residents.

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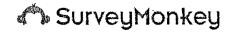
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Schedule "B" (continued)

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North Bay Smoke Free Community Survey



1. Do you feel the following municipally owned or operted recreation facilities should be designated as smoke free: Please check your response.

	- Yes	#No PR	latingCount.
Playgrounds	87.2% (489)	12.8% (72)	561
, Parks	64.3% (359)	35.7% (199)	558
:Sport Fields (e.g. ball, soccer, football, frisbee)	76.1% (427)	23.9% (134)	561
Beaches	63.3% (353)	36.7% (205)	558
Trails (e.g. Kate Pace Way)	60.4% (336)	39.6% (220)	556
		AnsweredQuestion	563
		SkippedQuestion	.0

2. Do you feel municipal special events and festivals should be designated as smoke-free?

	. R	ResponsePercent Respon	seCount
l Yes-	S. E. PROSECULAR AND CONTROL OF THE	59.2%	330
· No	AND CALLES AND	40.8%	227
	Ar	nsweredQuestion	557
		SkippedQuestion	6

3. The City of North Bay passed a municipal bylaw to prohibit smoking within 9 metres of all municipally owned or operated buildings entrances. Do you feel the municipality should pass a bylaw prohibiting smoking within 9 metres of an entrance to all workplaces and businesses?

	ResponsePercent	ResponseCount
Yes:	66.5%	373
No. Daniel Sold Management	33.5%	188
College of the Colleg	AnsweredQuestion	561
	SkippedQuestion	2

4. The City of North Bay is subject to the Smoke Free Ontario Act which prohibits smoking on all covered or partially covered patios, but does not address smoking on public and private uncovered patios. Do you feel the municipality should prohibit smoking on all public and private outdoor patios where food or drinks are sold?

	ResponsePercent ⇒ Respoi	nseCount :
yes in the second of the secon	57.2%	322
No No	42.8%	241
A STANDARD CONTROL OF THE STAN	AnsweredQuestion	563
	SkippedQuestion	0

5. Do you feel the municipality should prohibit smoking within 9 metres of all patios where food or drinks are sold?

	R	ResponsePercent Respo	nseCount -
Yes		57.7%	323
NO CONTRACTOR OF THE PROPERTY	SECTION CONTROL OF THE PROPERTY OF THE PROPERT	42.3%	237
	A	nsweredQuestion	560
		SkippedQuestion	- 3

Schedule "C" (continued)

6. Further Comments: 231 AnsweredQuestion 231

Q6. Further Comments:	
1. The municipality should stop restricting the freedoms of smokers in the community. The Government should not be contolling where we can stand outside to have a smoke. That would be the same as smokers saying "okay we have to smoke outside if your not smoking stay inside." Whats next you cant stand up wind from any establishment while smoking as your smoke may travel to the door? LEAVE OUR FREEDOMS ALONE!	Oct 31, 2012 10:43 AM
Very difficult to enjoy all the city has to offer when there is so much smoke around! We are new here and find the per capita smokers is far more than anywhere we have lived! Also, this would mean going to the park with our kids won't mean having to leave when the smoking parents arrive!	Oct 30, 2012 7:18 AM
3. There is an other serious problem of breathing health in the city. The wood stoves people seem to like because "It's NATURAL" and we are living in the north, pollutes our air. Some days in winter, it is impossible to walk outside because of the wood smoke residue.	. Oct 29, 2012 8:18 AM⊱
Buisness in towns and cities. Put these patios for smokers. A place for them to sit and have a smoke. There not allowed to smoke inside. But prohibiting smoking on these patios yous are going to hurt buisnesses. As people just wont go. The not smoking in side resturants bars ect hurt the ownes sales. The patios did bring sales back. So why kill the owners buisness altogether as this is what it will do. No smokers and the health department got there way with no smoking in the buildings why take away all smokers right. I dont smoke but but I feel smokers have rights and they should have some place to go and have there smoke. Guess North Bays not the fair city I thought it was.	Oct 3: 2012 4:54 PM:
5 If we could ban smoking in all but private residences that would be ideal II. We sall cannot afford to keep paying for smoking related issues.	Sep 25; 2012 10:25 AM
6 enough is enoughlets just leave it as it isleave this issue alonedon't you people have other issues that are more important???	Sep 18, 2012 5:48 AM
	Sep 17, 2012 3:18 PM
8 A smoker is already so limited and has had so many rights taken away. They freeze outside in the winter because they can't smoke inside anymore. If the non smokers don't like the smoke they can simply stay away from the areas that people can smoke. I think it will hurt businesses by driving away a large number of the population that smokes. Give the smokers some rights too, however limited they may be.	Sep 15, 2012 8:21 AM
9: I think that when people drink and go out to socialize smoking should be allowed. Example Pubs, bars, outside at the restaurant, night clubs. It should not be allowed at family events.	Sep 13, 2012 2:06 PM
Leave the business man alone! He or She has enough problems trying to run as business, withoutmore bylaws weigthing him or her down.	Sep 12, 2012 9:38 AM
11 The people of the municipality are probably a bunch of NON- SMOKERS, and maybe they need a few of their casual things taken away.	Sep 12, 2012 8:50 AM

Q6. Further Comments:	
12 id rather have a few smokers than increased taxes and no smokers, they re- keeping the economy going.	Sep 12, 2012 8:31 AM
13 I think the city should take into consideration that it was our Government that advertised smoking on tv, billboards, race cars, etc to entice people to smoke so they could make more money off the smokers in taxes. Now all of a sudden because so many people have quit smoking, all the ex smokers are trying to ban smoking so they don't have to fear that fact that they may start smoking again. Yes smoking is harmful, but smokers have rights too. The Government started the addiction, so the Government should give smokers a little respect due to the fact that the addiction of smoking is the hardest addiction to break. Non smokers can stay in the building if they don't want the smoke around them, so let the smokers go outside and enjoy the one thing that is legal. This is Canada people, not Russia,	Sep 11, 2012 10:36 PM
I understand prohibiting smoking at youth events, but to single out people that smoke at bars, restaurants or any other venue where people go to entertain themselves, is wrong. Everybody understands that smoking is bad, but being in a designated smoking area is fair, it keeps businesses clean inside, maybe what should be enforced is the manner in which you get rid of your cigarette butts.	"Sep 11, 2012 9:31 PM"
15 I am a non-smoker. However, when the laws changed, the bars/pool halls, etc. had to build patios to accommodate the smokers. Now you want to tell them the money they put out for these patios are for naught. It doesn't seem fair to me: I'm sure they've already lost enough revenue:	-Sep 1.1, 2012 5:29 PM
Just stop the relentless harassment of smokers, I am a none smoker and have never smoked in my life. You and all levels of government sell the product and get large amounts of money in the process. You have gone far enough. Now stop before you bankrupt more legit companies in our city.	:Sep 11, 2012 4:04 PM
17 I think the community of North Bay should enforce first of all stopping the sales of illegal tobacco on the reserve. I was charged for possession of contraband cigarettes after purchasing them on the reserve. Cigarettes with "Canada Duty Paid" stamped on them. The Reserves need to be only selling their products to Status Natives, with a Status Card. I had no idea what I was doing was illegal, but they had NO problem selling them to me; taking my money & not advising me that what I was doing was illegal. It's amazing how our Government can get away with Advertising that they are killing Canadians with cigarettes & profitting from itt It's disgusting, as our Government is!	Sep 11, 2012 3:52 PM
Banning things never solves the core issue of the problems we face. It's all about personal decisions and too much government intervention just dumbs people down it choose not to smoke near children. If I spark up on a patic, I make sure to do so where the wind will blow it away from anyone else and I distance myself from others who are not smokers. I do not exhale when there's a passer-by on the sidewalk and I hold my cigarette away. Hopefully I'll eventually quite all together but till then it just takes a bit of respect towards other people. Maybe a campaign on that?	Sep 11, 2012 3:17 PM
19: I am a non smoker, but that doesn't mean that smokers should not have their spaces to: Inside restaurants is great as a "designated" non smoking area. Smokers should have their spaces too.	Sep 11, 2012 2:54 PM

Q6. Further Comments:	
20 I agree with the No Smoking rules for indoors, however, when it comes to outside, feel free to smoke or pass gas!!!!!!!!!!!!!	Sep 11, 2012 1:45 PM
Without painting everyone with the same brush, wherever you permit smoking you invite and get excessive littering with cigarette butts everywhere on the ground. With respect to public spacesour tax dollars pay to clean it up and we shouldn't have to. At a private restaurant, the owner of the restaurant is responsible for cleaning up the butts on their property. If it migrates to municipal property they should be made to clean it up. On a final notesmoking in general causes incredible financial strain on our health care system and on that basis alone, I sort of support a complete banning of smoking altogether.	Sep 11, 2012 12:49 PM
22: - (do not smoke:∄this is a free canada.:len	Sep 11, 2012 12:31 PM
23. I am not a smoker, but I feel when you are outside there is a lot of open air so the smoke should not bother you that much. Also, I feel that the Government allows the sale the cigarettes, so why are we penalizing the people that chose to smoke them. It is an addiction and I know a lot of people that smoke and do try to quit but have a really hard time. I feel that by allowing them to smoke outside on a patio (which smokers have accepted) is good enough. Why do we have to push them further away. By banning them, it will be like at the hospital where	Sep 11, 2012 12:19 PM
everyone goes to their car for a smoke. They do not walk to the end of the hospital grounds. The only complaint that I have is that I wish they would not butted their cigarettes on the ground. It is a form of littering. I wish they would use ashtrays or cans.	
24 I am an ex smoker, however, I feel the right for people to choose to visit a place where smoking may or may not be, should be left up to the individual. Freedom of Choicel. Where will it stop if this allowed to occur.	Sep 11, 2012 12:09 PM-
25 Smoking Its been around for hundreds of years. People want to smoke let them. Same as drinking or is that next on the table. On I get it make it a a bylaw and then the city can make morre money. Then the tourerest will drive by and and visit the next town Sudbury North Bay will then be a ghost town Thats my 2 cents.	Sep 11, 2012 11:57 AM
26. I am a non-smoker. All of my friends are non-smokers. Even I think the bylaws are becoming out of control. I agreed with the indoor ban, but any kind of outdoor ban is just going too far. Do a little research into prohibition in the 1920's to see where you are heading.	:Sep:11;2012:11:11.AM
if it is not illegal and is not a drug that can cause you too lose your inhibitions, then how can you tell people that they can not smoke anywhere? If you want to make smoking illegal then go ahead and ban it everywhereuntil then leave smokers a lone.	Sep 11, 2012 10:54 AM
28 . I am a non smoker.	Sep 11; 2012 10:51 AM
29 Second-hand smoke kills wherever it exists. Smoking should be prohibited anywhere other people may be exposed.	Sep 11, 2012 10:46 AM
30 I am a non smoker and I know I have rights but we all have rights. Nobody should be allowed to take those rights away, whether you are a smoker or non	-Sep 11, 2012 10:44 AM

Q6. Further Comments:	
31. It would seem you are trying to make it so that the only place where someone who smokes can smoke is in their own residence. That is unfair in my opinion; and I am a non smoker.	Sep 11, 2012 10:28 AM
It is completely unfair to people who do not smoke to have to endure the second hand effect of those that do smoke. I hear comstantly that if I don't like it. I should move. Why should that be? Should I be allowed to spray pepper spray as I walk and that anyone near me should move if they don't like it? My health is effected in a negative way by those that smoke, and I should have the right to demand that they smoke no where near me.	Sep 11,;2012 9:58 AM
233 Fam a smoker and will not be DICTATED fooSmokers have rights 34 Enough has been done already! Any more is rediculous. There is now enough places for non smokers to go, any more and you are infringing on the business rights and the personal rights of the people. I am a non-smoker and all of this sounds rediculous to me!!	Sep 11, 2012 9:56 AM
The bylaws are only as good when one is implementing them. The city transit station is full of cigarette butts on the ground, and there is clearly a sign that says no smoking - even the bus drivers are smoking by the busses. Some do go further away buit most of people (drivers and riders.) are standing right by the bus and seats and there is sign saying no smoking on property. It is just feeling more like intentions are good but no enforcements. In public places, when one is sitting near a smoker and the wind brings the air and smoke to others around them; this is uncomfortable for the non smokers, as well as people with respiratory conditions sitting nearby: It is not always easy to change spots.	Sep 10, 2012 10:39 AM
36. If people who smoke showed respect to others that don't smoke, it would not be a be issue. The health unit is fighting to take all rights away from smokers and I don't feel that is right. Of course that is just my opinion. If I'm not happy about someone smoking near me, I have a choice to move away!	Sep 9, 2012 12:02 PM
Restaurant owners already paid a price for non-smoking inside, do not restrict outdoor smoking patios. But divide the patio into a smoking and nonsmoking area. This would be fair to everyone:	Sep 8, 2012 11:05 AM
38 smoking is a habit like drinking, eating junk food, etc.—smokers are/should be given the right to smoke somewhere and to be politic about their smoking—like—not smoke around someone eating, children, etc if it is in a small area.	- Sep 7, 2012 2:33 PM
Smoking should be prohibited where people are eating/drinking as non-smokers and possibly some smokers would find that the smoke would interfere with their enjoyment of their meals/drinks, especially as the smoke would cause the taste of their food and drinks to be negatively impacted. In open spaces, people should be able to smoke: Unless smoking is completely made illegal, people should be able to smoke in an open environment: When outside, we are all subject to various particulate pollution from such sources as exhaust from vehicles and smoke from barbeques and open fires, many of which are at outside events, and beaches. All people should be respectful to other individual where their actions can impact the enjoyment of others whether it be smoking.	Sep 7, 2012 1:20 PM

Q6. Further Comments:	
swearing, playing loud music etc.	
40s Nova Scotia has already implemented this by-law! It is time we also get on board!!	Sep 7, 2012 1:13 PM
This whole subject just makes me sick. I am tired of the 2 face idiot that make up these lame excuses and laws. For heaven sakes don't smoke a cigarette, instead light up a joint. Better yet, let's make marajuana leagal. What idiots can't see that at least cigarettes do not make people crazy. At times I do wish all smokers would just quit cold turkey, put the cig. companies right out of business and the government loose millions in taxes. Then lets see what people would do.	Sep 7, 2012 12:45 PM
42 Smoking and second hand smoke kills. Period: 9 meters is a false boundary that leads innocent victims to believe their interests are being considered.	*Sep:7, 2012:10:06 AM
I am a new tenant and do not smoke and since moving in I have been naseous: (sic) daily 7 days now and have had a headache for the whole time: I can smell smoke constantly from tenants downstairs. Prior to renting landlord said I would not be able to smell it. What can he do re: smoking tenants or what are my options? I am in dire need of information. Sincerely, Kim Wagg 1229 Regina St. #2 North Bay 705-478-7019	Sep 7, 2012 1:34 AM
44. I think this will make our parks and beaches more enjoyable for all, and it is just a matter of time before this happens province wide.	Sep 6; 2012 12:41 PM
Most of the cities and towns south of North Bay have already Implemented the non-smoking bi-laws in their parks, beaches, etc. and once these have been put into place there has not been much uproar or problems with the non-smoking issue. A lot of these cities have had this in place for years already and we find that in North Bay there is much to many people smoking in areas where it shouldn't be allowed. This is a real problem for people with health issues where the smell of smoke can cause further triggers. Plus, smoking is known to cause a lot of health problems and buy cutting back on smoking in some areas this may also help people cut back a little and maybe make them think about their future and health before its too late for them to do anything about it. Former smokers that learned the hard way. Thank you	Sep 6, 2012 12:37 PM
46. Non smokers wanted smokers outside, they got itnow enough is enough	: Sep 6; 2012 11:42 AM :
47 n/a	Sep 5, 2012 10:25 PM
The City of North Bay is known to have, a lot of bylaws they don't enforce. Why do you bother taking the time to advocate and work on creating laws that ARE Not ENFORCED? Bragging rights I guess. Looks great in black and white on paper. The City have few enforcement people to enforce it, and the ones they do have are underpaid, and not qualified to do enforcement. Would you do it for a few buck above min. wage? We all want smoke free places but you need more qualified, good paying people to enforce it. People that are paid well enough to put up with the BS that goes with enforcing laws Good Luck with this, but the City won't hire qualified people to do it. This is just a lot of hype!!!!	Sep 5, 2012 9:16 PM
49: If it becomes smoke free who will be responsible to implement? Example NB transit is smoke free but transit employers say it is the health unit. With programs	: #Sep 5, 2012 2:21 PM

Q6. Further Comments:	
being slashed disease control is more important than monitoring smoke free zones. As a result everyone still smokes all overmain transit terminal-client as well as workers. Until follow up is secure I feel it is a waste of time to address the issue if it should be smoke free or not	
Considering our climate, the municipality wants to ban smoking from patios that serve Food or drinks that are generally, weather permitted, used approximately 2 months out of 12 months for that purpose. The other 10 months they are only used by smokers. It is hard enough to make a living in this town without any more restrictions on our customers! The patio on the restaurants that are for this by-law are not as totally out in the open as other patios, so that may be why they get the odd complaint. Please do not consider passing a bylaw that will put more pressure on the small business owner like myself. Jo-Ann Rick Canadian Legends Eatery	Sep 5, 2012 12:59 PM
#51. Enough government already! Apparently too much time on someone's hands! We are still a free country from what I understand	Sep 5, 2012 12:50 PM
.52 Patti Carr should quit smoking	-Sep 5, 2012 12:27 PM
53 Fam not a smoker but I do feel that we have gone a little overboard in demonizing smokers. It is nice not to have smoking inside public places but think we can all tolerate a little dirty air now and then.	Sep.5, 2012 12:24 PM
trails, parks, playgrounds, sports fields etc. are all there for people(especially, children) to enjoy the fresh air and keep active, families should not have to be subjected to second hand smoke when they are trying to live a healthy lifestyle. Festivals are so crowded, there is nothing worse then trying to walk through the grounds with your children and having to dodge people carrying cigarettes.	Sep 5, 2012 12:18 PM
City of North Bay should also address the gas emission in the parking garage at Northgate Square.People are not allowed to smoke in there yet the transits can iddle.	Sep 5, 2012 12:00 PM
Smoking is the leading cause of preventable deaths. When used as intended, it kills half of those using it prematurely. Legislation deters smoking, helps those who have quit or wish to quit, protects service workers and the public including children, and denormalizes smoking culturally so kids aren't as likely to start smoking.	Sep 5, 2012 11:30 AM
57. I would also go so far as to see the government ban smoking in vehicles with children under the age of 18. It should also be noted that although there are smoking bans in place, they are not always enforced. There will need to be more resources and/or training available for this. I would also like to see officials work closely with school officials as it is not uncommon to see under aged students smoking in front of schools waiting for busses etc.	Sep 5, 2012 11:16 AM
My children play many outdoor sports through the summer months and I am astounded at the amount of people who smoke in the bleachers. On one occasion, I was parked in my vehicle and a woman was smoking away from the field except she threw her cigarette butt on the ground near my vehicle's back tire without putting it out. The smoke was coming into my vehicle and so I asked her politely to put iti out with her foot.	Sep 5, 2012 11:12 AM

Schedule "C" (continued)

Q6. Further Comments:	
59 Smoking is poison. Why should the non-smokers suffer in ANY way from someone else's bad habit?	Sep 4, 2012 3:24 PM
60. I think we should work towards enforcing the 9 meter bylaw, as many do not comply. If people comply with the bylaw, there would be less complaints. If there is a fine in place - follow through with fining those who are not following the bylaw; you need to start somehwere and I think this is a good start to set a presidence.	Sep 4, 2012 8:26 AM
::61: rigo smoke free everywhere!!!!!!!!!!	Sep 3, 2012 3:37 PM
#1:62 #Thank you for having this survey! hope it gets implemented	Sep 3, 2012 1:06 PM
Most smokers are respectful of being careful where to smoke. When we are in outdoor situations like parks and beaches There is lots of airflow and places to get away from people. To ban smoking in parks and beaches would be a huge inconvience for those of us who are still cursed with the evil addiction. Feel the laws in place now are enough for the comfort of the majority of people.	Sep 3; 2012 8:51 AM
: 164! Dont forget smokers are tax payers tool All our rights shouldnt be taken away: from us I.	Sep 2, 2012 9:53 PM
I especially don't like the one where smoking should be banned at special events or festivals because I think if you are going to do thatdog should be banned other than working dogs. I am more afraid of dogs than I am of someone smoking. I guess you don't give a darn about the smokers who pay taxes in this city. And I don't know how you can ban those smokers from smoking outside I thought no one could own the air. I think we have more pressing problem in this city other than where citizens can or can't smoke. I feel this is discrimination against smokers what are you doing about the drinkers and druggles in this town????????	Sep 2, 2012 6:57 PM
l'am a smoker and wish I wasn't. Make it difficult for me and all smokers to smoke: We will smoke less then eventually we will have better success of quitting smoking. We know now that this is bad for our healths not like our parents did not know all the facts that we do: Been trying to quit and I am close to my success, down to 10 cigarettes a day to the one pack a day. Like flying a airplane you must wait a very long time to have one to have to step out of the airport and go thru the security check, most time you don't have enough time so I chew Nicolette gum for those moment and I think at all areas of the survey you mention if I really need the nicotine I will chew the gum and won't bother the non-smokers. Thank you.	Sep 2, 2012 6:31 PM
In my mind, there is no question that this is a step in the right direction. I am tired of having to breath second-hand smoke at events or even on the street. Smoking and second-hand smoke is unhealthy, and I have a right to breath clean air! I don't hesitate to show my displeasure at having to smell someone's second-hand smoke. I consider it rude and a lack of consideration when someone lights up in public areas, especially when there are kids nearby! Every smoker should feel that she/he owes to herself/himself and everyone else that they need to cut this bad habit. It's ugly, unclean, and, again, unhealthy. IT IS DISGUSTING TO SEE ALL THE CIGARETTE BUTTS EVERYWHERE:	Sep 2, 2012 3:59 PM

Q6. Furt	her Comments:	
	STURGEON FALLS TIM HORTONS IS A PRIME EXAMPLE. BEFORE ENTERING, YOU HAVE TO PASS BY HALF A DOZEN OR SO SMOKERS BEFORE ENTERING THE BUILDING, THEY ARE RIGHT OUTSIDE THE DOOR. I WALK THROUGH A HAZE OF SMOKE, AND A BUTT COVERED ENTRANCE, BEFORE I CAN GET INSIDE. I SURE DO NOT FEEL LIKE EATING OR EVEN HAVING MY COFFEE AFTER THIS:	
.69	It feet designated smoking places are fine, as long as they are well away from places where non smokers can be affected. If much more rules were put in place, It feet that smokers might legitimately not know where they could or could not smoke. Make some clearly designated areas.	Sep 2, 2012 9:13 AM
70	I don't attend any major events hosted in North Bay because I'm sick of dodging cigarettes waved around and tossed by careless smokers. Ban it everywhere!!	Sep 1, 2012 8:34 PM
71	Anywhere where kids might be, should have a smoking ban: My husband and lare very sensitive to cigarette and other types of smoke(cigars, pipes etc.) and even passing by near these things causes us distress and breathing difficulties. I find that there needs to be more enforcement of the already present smoking bans. Perhaps the smoking public needs a reminder of how far nine meters is:	Sep.1, 2012:1:56 PM
72	Nobody whould be subjected to the negative impacts of smoking on their health when they are just trying to enjoy public spaces. We do not CHOOSE to smoke and should therefore not be forced to endure it!	Sep 1, 2012 8:38 AM
73	Getting rid of smoking in public places is critical to the health of most of the population who prefers not to smoke either first hand or second hand smoke especially near children. Children can be found in all the locations mentioned in your survey.	Sep 1, 2012 7:56 AM
74	City of North Bay council is voted in to run our city not to intrude in our personal lives this motion goes to far we do not live in: a communist country as yet try not to make it one	Aug 31, 2012 6:46 PM
75	The real disappointment is that the 9 m bylaw doesn't stop people from smoking there & when you call to complain, it's unenforcible. Very dissappointing when it's in front of a healthcare building.	-Aug 31, 2012 5:55 PM
76	Live and let liveA little tolerance of others is called for here.	Aug 31, 2012 5:46 PM
77	Everything should be done to help stop our youths from starting smoking and possibly even help those who need more reasons to quit!	Aug 31, 2012 4:46 PM
78	People are now accustomed to the fact that they must go outside to smoke and away from doorways. Why should they smoke at tables where people are eating. I certainly don't want to eat there if someone is blowing smoke into my food. We are paying enought to eat out as it is: If necessary they should have a smoking area at side or back of building away from the Patlo where people can go and smoke if they must. Younger generation under fifteen have no problem with the no smoking as they have grown up with it so why shouldn't we continue to protect them for years to come. To those growing up now it only makes common sense and hoepfully fewer will start smoking in the first place.	Aug 31, 2012 4:12 PM

Q6. Further Comments:	
79 If this passes there should be better reinforcement because even with the9 meter rule there's still people smoking 2 feet from entrances	Aug 31, 2012 2:48 PM
On several occassions family members who come to watch children's sporting events have had to leave due to inconsiderate people lighting up in the general area and causing medical distress. As well the poor children who suffer from second hand smoke at these events and require asthma medications just so they can participate in festivals/events/sports activities or worse have to leave to obtain medical attention. The cigarette butts at these family area is gross and when I must remove butts from beach sand so my kids can build butt free sand castles at the beach it becomes very annoying.	Aug 31, 2012 12:55 PM
81. It's time to give the smokers a brake you have them outside in 30 below it's time	Aug 31, 2012 11:45 AM
Cigarettes are still legal. This is really starting to go a little to far to infringe on peoples freedom of choice. I am a non smoker my concern is what will you try to make law for next. Why not go after other big polluters that are actually causing more harm to the air and environment. I can not believe that my tax money is going towards this. Why not use it on something more worth while; like more education. I think it is now time to focus on something else. Smokers know it is bad for their health and so do non smokers if you don't like to be down wind from the smoke change were you are. And were do you get off taking away the choice of a business person; if they want to be bias to smokers they should set there own standers of if and were there customers can smoke, From a non smoker who is concerned about my other rights and freedom. Remember this is Canada not a dictator country.	Aug 31, 2012 11:42 AM
183 Non smokers are very annoyed by all the smoke.	: Aug 31, 2012 11:34 AM
184. Iam an asthmatic and I have had to move from the place I was sitting or standing because of other people smoking around me. It makes the outing not enjoyable and unhealth for me as I have to end up using medicine to get relieve and able to breathe properly again.	Aug 31, 2012 10:40 AM
While I don't agree that smoking should be prohibited within 9 m of all workplaces and businesses (it really does leave almost no where except home for a smoker to smoke), there should be stricter punishment for littering and butt-dropping. All smokers should be respectful of their environment and people around them too: and the wind conditions of the area they smoke in. Part of the issue with littering seems to be the facilities available and this goes for all litter. I'm amazed that a city the size of north bay does not provide more receptacles, especially along busy pedestrian and transit routes. I highlight the stretch of McKeown ave between No Frills and College Drive every bus waiting area is littered with junk that people couldn't hold on to and there just isn't a spot to dispose of garbage that is efficient. You can generate income by allowing advertising similar to city of toronto. Though I guess that's hard because the city can't even generate enough advertising interest to fill up the buses	Aug 31, 2012 10:15 AM
86 you don't see cars been turned off at drive trues,you smell the exaust inside the building:	Aug 31, 2012 10:02 AM
87 Leave smokers alone.	Aug 31, 2012 9:58 AM

Q6. Further Comments:	
Smoking areas need to be designated and enforced. I hate walking up to a building and having to walk through a haze of smoke and through the old butts and packaging. I also hate walking down the street trapped behind some smokers. Smokers can do what they want in the privacy of their own homes. I don't want to be subjected to their second hand smoke anywhere in public, or to their discarded butts and packaging.	Aug 31, 2012 9:55 AM
If my tax dollars pay for public and municipal areas, then i as a smoker should be allowed to smoke there. If am very mindful when I do smoke not to smoke around my children, in my car, pick up my cigarette butts, etc. I think it is totally unfair that the public health unit focuses all their attention on smokers. I have great difficulty with people drinking alcohol in public including patios due to past difficulties with alcohol myself. Should that not be allowed as well? What about air pollution from cars and industries. Why is that not being regulated and fined as strongly? It is time to focus your energies to other areas rather than on the smokers. If you would have treatment centres that deal with the addiction of smoking as an inpatient practice as for other additions, then maybe you have something to talk about.	Aug 31, 2012 9:51 AM
90. Second hand smoke is dangerous and cancerous. There is nothing more annoying than trying to enjoy our beautiful outdoors and being exposed to such toxic chemicals. A good example of this was at this year's concerts for the August long weekend. We were trying to enjoy the music and festivities however everyone around us were smoking and with the way the wind was blowing it was right in our direction. I think people should be allowed to enjoy the outdoors without the worry of what chemicals and toxins they are breathing in.	Aug 31, 2012 9:50 AM
91 I am a smoker and consider myself a considerate smoker. Banning smoking from something like Summer In The Park would take a few years to solidly establish and would create alot of anger. I don't believe it is the proper venue for smoking, but it is an outdoor public event. My concern is that the government continues to legally allow smoking because of the tax revenue; but at the same time spends money on laws, bylaws, enforcement, signage, etc. (ch! And surveys too:) Is one paying for the other?	Aug 31, 2012 9:48 AM
92 I think these are all great suggestions and I would love to see them in place, however, unfortunately the fact remains that there is little to no enforcement of the existing smoking bylaws and until that happens it seems kind of pointless,	Aug 31, 2012 9:10 AM
93 Cold beer and a smoke go hand in hand. But, as a smoker I agree with no smoking at parks and sports fields.	*Aug 31, 2012 9:03 AM*
94. Smoking is a legal right. Baning a legal right is unconstitutional.	Aug 31, 2012 9:02 AM
95 It is ridiculous. You want North Bay to lose residents. Half of North Bay residents smoke. It is a free country, if you want to smoke, just don't leave your butts laying around	Aug 31, 2012 9:01 AM
96 I took my kids to the Summer in the Park concert as they like Marianas Trench. One has asthma and found it difficult to breathe as someone nearby was breathing. The security guard and a police officer said there was absolutely nothing that could be done. I was shocked. Kids and others with breathing difficulties should be able to breathe comfortably at events that take place on city	-Aug 31, 2012 8:46 AM

Q6. Further Comments:	
property like Music In the Park. I hope next year smoking is banned at this event, our kids lungs shouldn't have to support the habit of a few.	
97 Thanks for asking for our input! Great way to get some citizen involvement.	Aug 31, 2012 8:45 AM
As a member of this community, and someone who uses the public playgrounds and beaches with my family, I am so frustrated with having to leave these places due to the amount of smokers and cigarette butts on the ground. I cannot have my child running around and crawling through these toxins. I realize that we have it pretty good in Canada, and some would say a few cigarette butts in a publicly funded playground or beach is a luxury compared to the conditions some kids have in other places. However, I contribute to paying for these places with my taxes that are WAY TOO HIGH in this city, so I think I can say that the conditions of these public places that I pay for is deplorable.	Aug 31, 2012 8:43 AM
For each new area designated some-free the municiplaity must provide properly equipped areas for people to smoke, i.e. ash trays, covered areas. The smoking designated areas must be encouraging and still respectful, these are citizens too.	Aug 31, 2012 8:39 AM
100 I think this would be a great initiative to increase the areas that are smoke free. As I do not want to inhale smoke and have potential harmful health effects imposed on me, and I believe it is my right to live smoke free. I would appreciate additional areas, such as beaches and parks, and entrances to public buildings such as stores and restaurants, to be smoke free as well. I take as many, measures as I can to lead a healthy life, and believe that as a member of this community I have the right to enjoy the wonderful public spaces North Bay has to offer smoke free. I am new to the North Bay community and am amazed by the wonderful parks and beaches the city has, however am always put off and astonished by the amount of cigarette butts that can be found. I hope that this is a successful venture and look forward to watching its progress.	Aug 31, 2012 8:35 AM
Having people smoke around you is a fast way to ruin a great experience or downtime. Whether it's lying on the beach and having smoke blow in your face, or enjoying a meal on a patio restaurant. If people are outdoors it is not to have the fresh air filled with filth, or having their appetite ruined. This is 2012, we know the health consequences of smoking. Those who choose not to smoke should not have to reap the affects of others habits, nor should they be expected to leave a public area to ensure their own health or enjoyment. If you are choosing to smoke, you should be held responsible for removing yourself from public, especially family settings.	Aug 31, 2012 8:11 AM
102. If North Bay passes this by-law then all restaurants etc will lose my business as well as that of my friends and familythis is a FREE country and this city is starting to be run like a dictatorship by the health unit.	Aug 31, 2012 8:04 AM
103. Smoking is bad for your health. While I respect a persons right to smoke, they should not subject others to the second hand smoke.	Aug 31; 2012 8:01 AM =
104 I am itired of municipalities and government—using there comminist approaches to forcing people to do what they want — there is enough smoke banning … try do the freakn job you were voted in to do instead of banning everything and raising the taxed everytime someone farts : try taking care of	Aug 31, 2012 7:21 AM

Q6. Further Comments:	
the things, that are imrtant to this cityobviuosly you have tooooooo much time on your hands.	
This is a good way too kill lots of businesses in North bay. Mainly restaurants and bars who 13 or so years ago felt the affect of not smokeing inside to now a new low blood alcohol law. This would just hurt them to the point of closure. This takes our freedom away and ability for choice. Out doors is out doors! and P.S.I. don't smoke!!	Aug 30, 2012 10:43 PM
1.106 Give us a break. The monkey on our back is enof.	Aug 30, 2012 8:52 PM
Nothing is good about smoking and for those that are truly addicted to this killer habit, the community and city as a whole need to do it's part in helping break the habit. Also I work at city building and we have smokers at the back door of the station (I mean with in 2 feet) lighting up all day long. We inhale second hand smoke everytime we need to come or leave. Would love to see the laws we have strictly enforced !!	Aug 30, 2012 8:02 PM
108 I believe that smokers will still frequent restaurants and public spaces even when smoking is not allowed. They will retreat to their vehicles to smoke, saving the rest of us from their smell and their trash. Prohibiting smoking in all areas where children play—beaches, parks and playgrounds—is especially important. Cigarette butts all over the ground in these public areas of North Bay are. unsightly and dangerous to children.	- Aug 30, 2012 7:38 PM -
109 This is passed-due. Please go smoke free!	Aug 30, 2012 6:41 PM
These questions seem to be worded so that there is no room for discussion. With regard to 'smoking' on patios where food or drinks are sold, that should be up to the individual owner, should he or she decide that they wish to go entirely smoke free. Same with prohibiting smoking within 9 metres of an entrance to workplaces and business the choice should be that of the individual owner. Special events and festivals usually include families and therefore walking around with a cigarette in hand is not a good idea, but having a designated 'smoking area' for those who wish to smoke would be good. Where do we draw the line telling people what they can and cannot do? To smoke is the choice of an individual and should it be 'prohibited' everywhere, there will be those who will do what they can to 'break the law. As well, who is going to 'police' all of these places where smoking may be banned. How many 'by-law' officers does this city have? Is one 'by-law' officer going to feel comfortable wading into a large group of people smoking in a public area, or will the police be required to assist said 'by-law' officer? Many folks have strong feelings re smoking and personally we feel that there are many, many more important issues that city council should be taking the time to address. Believe it or not, most people that smoke realize that it is bad for their health and that second hand smoke is bad as well, but banning smoking in public places is not the way to go. 'We don't have the answer, we' don't think that anyone does, but we feel that smokers have just as many rights as non-smokers and we are non-smokers! Thanks for the opportunity to send you our comments.	Aug 30, 2012 6:36 PM
in public buildings, restaurants, etc is a good thing: But, to go as far as this proposal goes is a bit out of line: As for the smoking bans in place at our new	

Q6. Further Comments:	
hospital, my family & I feel that there should be a designated area for people to smoke (not out on the highway). How difficult would it be for a patient who has smoked for many years to have to march out to the area around the highway to have a smoke. Let's be fairespecially to some of the older people. This is like everything else in the world todaysome ideas for change were good & some went from one extreme to the other. Give it a break!	
From a person with allergiesI sit here in my own home as my neighbours sit outside and smoke and I have to get up and close my own windows on a very hot day as my allergies can't take it. In my opinion smoking should be banned everywhere!!! Why let everyone else around them suffer!! And especially in places where families, children and athletes are. It's just common sense as far as I am concerned! Enough is enough already! It is a serious health hazzard to everyone! What does it take to get this through to people!	Aug 30, 2012 6:05 PM
What if a bylaw were introduced, yet modified, in a way at food/drink locations in which smoking was prohibited prior to "bar hours", like, prior to 8pm? As a smoker, and a frequent bar-goer, I have to admit that I would most definitely not go out as much if I weren't allowed to sit on the patio and enjoy a cigarette while having a drink. Bars are meant for a little debauchery and some smoke in the air. I'd hate to lose that little taste of anarchy for a no-tolerance policy. If this passes, before long you'll have to go beyond city limits to have a cigarette.	Aug 30, 2012 6:00 PM
Smoking should be banned in public and private buildings, business and any commercial centre. Smoking causes cancer not only to smokers themselves, but to others (second-hand) Treatment of diseases cause by smoking causes millions of dollars. The fund that could be used in education, or other beneficial services or programs. I will be very happy if the proposed By-law is successful.	Aug 30, 2012 5:58 PM
115. As a non-smoker, I feel it is my right not to have to be subjected to any second hand smoke. I should not have to take a detour to get into stores and facilities to avoid smoke.	Aug 30; 2012 4:22 PM.:
get ready to lose money if these laws are passed. Who will foot the bill of course the taxpayers. It's your federal govt who should show examples and not to let cigarettes be sold. Of course they won't they make good money with taxes.	- Aug 30, 2012 1:47 PM
There has to be a limit where the government should back off and let business owners and fully grown adults make up their own minds about some things at least. If anti-smoking sentiment is that high, go through the prope channels and make tobacco illegal, period. Other than that, if it's legal, there has to be some latitude given to the people.	Aug 30, 2012 1:37 PM
118 inhaling smoke while eating, running or enjoying the outdoors is disgusting. Indon't appreciate not being to enjoy the patio in summer because smokers take it over, go to your own backyard to smoke; let people decide for themselves if they want to inhale toxic fumes, don't force it upon them	Aug 30, 2012 12:52 PM
119 2012 - it is time that non-smokers are not subjected to the health hazzards of second hand smoke when watching kids in parks, beaches, playgrounds and sports fields.	Aug 30, 2012 12:33 PM
120 If this smoking ban is approved, the city and the health unit will have to find a	Aug 30; 2012 12:28 PM

Q6. Further Comments:	
non-smoker to replace me, as my 20 years of volunteering in this city will come to a end, also the city and the health unit can pay my taxes of \$5600, each year as I will not be allowed to go anywhere in this city, why should I pay taxes If I ambanned from public places, and also have you forgotten about the veterans that fought for this country and not allowed to have a smoke outside the legion, how soon we forget. I have my rights also.	
121 Sport fields should be smoke free only when the players are 15 years old and younger.	Aug 30, 2012 12:26 PM
I am really at my wits end with all these anti-smoking laws. I don't think it's possible to ever satisfy anyone. We gave them "clean air" in every possible public place and workplace imaginable, we've trampled the rights and freedoms of smokers and private business owners, we've hidden all tobacco to "protect the children", we've increased tobacco taxes to absurd levels. Now they are demanding that smokers be BANNED from smoking outside?!!! Telling us how great it would be to hand out tickets for smoking, the same gov that doesn't enforce environmental rules on Industry, they poison us with pollution. While these people are at it, perhaps they can also ban the cars that are driving down the streets. After all they are emitting toxins. Please show me the research that has been published anywhere that says second hand smoke outside is any more harmful than car exhaust NOW HOW ABOUT putting all that effort into doing something more worthwhile. LIKE stopping these big industries from polluting. Now that would be a more worthy cause, and far more pollution comes from these companies than the folks that are standing out on the sidewalk having a cigarette. Plus will we need to hire more staff to enforce??? Maybe should sell my house and move to a city that doesn't spend all of the money I pay to own a home here on such ridiculousness, you say you want to keep good employees up north, I could easily be making more money for my position elsewhere!! I can see the point of no smoking in parks/playgrounds and sports fields BUT DO NOT agree with the ban for everywhere public!!! People can make informed decisions of where and what patios and bars they would like to go to. In the perfect situation, smoking policy would be set by bar or restaurant owners, and customers would patronize the establishments with the policy they prefer. Customers would decide-without the government's help-if they want to avoid smoking on OPEN patios or not.	Aug 30, 2012 12:16 PM:
123 I think they should ban smoking period. It is proven to cause many diseases and even DEATH. Smoking should be outlawed the same way may illegal drugs are. People should also be given the power to arrest or assist in an arrest of anyone breaking this law. I constantly see people who smoke standing right beside the signs prohibiting this act and nothing is done about it. Our police seem to ignore many of these laws as they see fit and that is a great tragety as they are in power to uphold these laws and do not.	Aug 30, 2012 12:08 PM
124 I am a non-smoker and my husband is a smoker. This means we will never go out to eat, shop, attend Summer in the Park, play sports, etc. again Really? For the most part, smokers are respectful to others that are non-smokers If you are outside and it bothers you so much, stay home. We are having a hard enough time getting people to our festivals and restaurants in the city - now we want only non-smokers to show up. Good luck with that!	Aug 30, 2012 11:58 AM
125. Please add to this ban smoking within townhouse and apartment building F	Aug 30, 2012 11:33 AM

Q6. Further Comments:	
perimeters. Smoke gets in even more through an open window than a door which is closed part of the time.	
Any suggested loss in business overall will be more than offset by clients that don't smoke, new people that move here because it's smoke free and the immense improvement in future generations who learn by example to avoid this and other addictive health hazards. Best wishes, the sooner the better.	Aug 30, 2012 11:26 AM
427 City of North Bay has enough financial obligations to consider - adding another layer of bureaucracy & expense to City budget is UNACCEPTABLE at this time. [Non-Smoker]	Aug 30, 2012 10:19 AM
128 I understand the reasonning behind this and support. I was a smoker for 20+ years and I no longer want to be near it or come out smelling like smoke. My opinion though is how are you going to enforce this by-law when you can barely enforce any other by-law within the city. You must be able to enforce ALL legislation that you put forward. In addition, you will also have to consult with your stakeholders; specifically the courts. Can you handle the capacity??	Aug 30, 2012 9:53 AM
129. There's nothing worse than trying to enjoy a meal on a restaurant patio and having disgusting smoke surrounding you. I'm trying to enjoy a meal, why should it have to be subjected to your disgusting unhealthy second hand smoke?	Aug 30, 2012 9:15 AM
There is nothing worse than walking into any work place and having to walk through a cloud of smoke to get there. It looks very unprofessional. Also when I go out to a restaurant and sit on the patio I do not want to smell the smoke to the table next to me or even a few over. Children also should not be exposed to smoke of parents or others in a park or playground. We need to do our part now as adults to make smokling inaccessible in public in order to deter our children's generation from wanting to smoke.	Aug 30, 2012 8:35 AM
131 #1 and #2 = only because the butts are everywhere:	Aug 30, 2012 8:33 AM
It's becoming more and more rediculous. It's a bit much don't you think. If the smoker is outside then he or she should have the right to smoke. When I see someone around me that smoke outside and I am near, I remove myself. Plain and simple. Come on now. I have a question for you. I agree that smoking is not good for anyone (second hand smoke and all). However, we don't see as much restrictions on people that drink of do drugs now do we. Making spectacles of themself. Is it harmful to others around. You bet it is. Yet, it seems that nothing is being done. We still have commercials on T.V. about alcohol. True, we don't see them drinking it but it sure is inviting isn't it. You still have drunk drivers killing innocent people, because they feel they're o.k. to drive. It's not good for anyone's health now is it. Does it cause second hand illness? Paralysis or DEATH. Now how do we stop that?	Aug 30, 2012 8:19 AM
133 Nobody should have the right to smoke in public places. This other night and it is disrespectful to bring more people to not show up at some places because of it.	Aug 30, 2012 8:14 AM
1.34 1. As a softball player, I choose to not smoke during games. That is my choice. However, I know a lot of players that do smoke during games. As long as the cigarette is not on the field or in the dugout, I don't see a problem. Playgrounds and parks, I can see a smoking ban because there is children there. Beaches	Aug 30, 2012 7:54 AM

Q6. Further Comments: would benefit from a smoking area. Trails, like the Kate Pace Way, should be smoke free because they are promoting healthy activities. Plus, trying to have a smoke while on a bike is ridiculous anyways. 2. Community events should have butt cans around so that the lit butts do not lie on the ground for someone to burn themselves on. (Children should be wearing shoes at these events anyways.) 3. I agree with keeping smokers 9 meters away from entrances, but only public ones. I have a back door at work that I smoke right outside of. However, this bylaw should not apply to someone who is walking down the street. Yes, they would be less than 9 meters from the public entrance to a business, but they are simply passing by. If this exception isn't made, there will be a lot of smokers walking down the center line of Main St. even if they're just doing it to prove a point. 4. & 5. I think that we should take a note from our pre-Smoke Free Ontario Act days and impose a smoking and non-smoking section on patios where food or drinks are served. When the Smoke Free Ontario Act was created, a lot of local bars and restaurants had to do some renovations to create a patio so their patrons could have somewhere to smoke (A lot of these places now have fenced patios so they could be licensed). Most of the patrons of these businesses know that if they are going to go out on the patio to enjoy their meal or their drink, chances are someone is going to be smoking. Most of the time; when someone is smoking; others don't even notice if they're on a patio. The smoke and smell dissipates so quickly. All in all, I consider myself neutral because I agree with parts of the proposed ban and disagree with other parts. I sincerely hope that the counsel of North Bay takes into consideration all of the opinions people express and not just the ones they want to hear. (I don't blame them, it's human nature to only hear what you want sometimes) I think this is a great move for the city, banning smoking is one on the best things Aug 30, 2012 7:52 AM 135 we can do because of the very large health risks not only to the smoker, but everyone around them. Not only do I find cigarette smoke repulsive, I am allergic to it. I can't enter stores without having to walk though it and inhale it. Then my hair and clothes smell like Aug 30, 2012 7:50 AM 136 it until I get home and wash it all. They should have the right to choose to impair their health, but they should NOT have the right to impair mine! Aug 30, 2012 7:48 AM You are infringing on the rights of people who choose to smoke. If people do not 137 want to inhale second hand smoke they can go inside where the air is clean. We smokers were banished to the outside because people were bothered and patios were originally put in place for us. Enough is enough already 138 Thank you for taking on this intiative! I work in tobacco cessation and strongly Aug 30, 2012 7:46 AM believe that the only way we can reduce smoking prevelance is by = increasing cessation supports to individuals - stopping the flood of contraband tobacco in our community - strengthing tobacco bans in our public areas. Smoking bans do work to reduce smoking rates, and support the overall movement to: denormalize tobacco use. I really hope this survey will give the usually silent majority (those who would support smoking bans) a voice. The City if North Bay is doing the right thing to implement these changes. On another note, could I suggest that any policy adopted include wording that addresses ALL forms of tobacco (snus, chew, or any other product out now or in the future) as well as ecigarettes:::Regards, Shari Cole Aug 30, 2012 7:30 AM The laws are fine as is!

Q6. Further Comments:	
140 I do wish to see the city improve and become a healthier community and believe that we can improve on the enforcement of the 9 meter from entrances. I beleive that we should also try to find/present information on the cost of cleaning up after smoker's, litering, and damage done with tar stains from cigarette butts.	Aug 30, 2012 7:27 AM
The Feds are too weak-kneed to make a deadly product prohibited. It KILLS 50,000 Canadians a year in smoke related illnesses. BS with those saying it's a legal product or its my choice. Too many challenged people making stupid./ dangerous decisions. Thanks:	Aug 30, 2012 7:22 AM
142 Even on private porperty, smokers should not prevent neighbors to enjoy their own outdoor patio due to smell and smoke	Aug 30, 2012 7:01 AM:
143: leave it as is now:havn't we heard enough from the Health Unit about smokersthis should be an individual's choiceafter all most smokers are adults now days so just leave it alone and move onto the obselty issues or something else to complain about	Aug 30, 2012 6:53 AM
144 We should not condemn smokers anymore. I think the laws are strict enough. Most smokers try not to smoke around others who don't smoke when out in public. Perhaps we should start doing the same for alcohol consumption. It also causes a lot of health damage to the person who drinks and often the person's family and friends suffer emotional and/or physical abuse.	Aug 30, 2012 6:53 AM
###145 ### right to smokepay for your own health costs related to smokingcough remedies, oxygen bottle requirementsscooters for when the lungs give outpay. pay pay	Aug 30, 2012 6:27 AM
Just leave the smokers alone. There is worse things going on then smoking outside. The people that are discontent on the smoker are most likely puffing something else. I agree indoors in a restaurant, I respect the people that are eating but outside is a joke.	:Aug 30, 2012 6:05 AM
147 This is ridiculous. Smoking isn't good, by any standard, but its a choice. A choice an individual is allowed to make its a selfish habit, but trying to push smokers into solitude won't help them quit. It'll just make a lot of irritable people upset with an already falling government. I agree with no smoking in playgrounds. Smoking around children is just wrong. But on the beaches and parks? Good luckenforcing that. Lets go ahead and waste more money on something not important, shall we? So glad II left North Bay. What a joke this is turning into.	Aug 30, 2012 3:21 AM
I mention this thread within The Nugget's main Facebook page in relation to their newspaper article on this subjects; as follows: "Guess North Bay will be the poster boy for totalitarianism. Well, I've found the most rude and obnoxious people to be non-smokers. Some are kind and respectful people. Some smokers are also rude and dirty, don't pick up after themselves or are unconscious of people walking by. For me, I see this argument as nothing more than stupid rhetorical garbage. Nothing more than another way to control the masses to the way a few people want it to be, and great money in fines from those who mean to disobey. Fuck that, I mean to disobey." This step towards forcing people to fit the paradigm of a few elect people is not going to go the way they want. Canada is not a third world country, and we are not ignorant of the steps the government is taking towards totalitarianism. In trying to force people to think, act, speak, use	

Q6. Further Comments:	
their body, marry, date or even protest the larger part of Canada is getting truly pissed off. Fucking idiots.	
.149 Re question 3: I would like to see smoking prohibited within nine metres of the MAIN entrance(s) used at businesses and workplaces. I don't think smoking needs to be banned within nine metres of side/back doors.	Aug 30, 2012 12:07 AM
These restrictions are great, however, as the existing bylaw is rarely enforced it won't do much to improve the air for those of us non-smokers. More enforcement must accompany the changes to the bylaw. The worst of these locations is the various entrances to the Northgate Square, namely Wal-Mart and Parking Garage entrances. Sure the signs are there, but nearly every time I go to the mall I am greeted with a puff of smoke in my face. As the father to a newborn, this is especially concerning. The fines would more than pay for several enforcement officers salaries:	Aug 29, 2012 9:18 PM
151 I think smoking should be allowed on Private Property and the city shouldn't limit smokers from frequenting them. I think the city should better enforce the 9 meter rule and other more important bylaws instead of making more bylaws that end up being ignored.	Aug 29, 2012 9:06 PM
152 I moved from Ottawa 2.5 yrs ago (which has a smoking ban in place) and was/am discusted by the smoking in this city. We have to hold our breath going in/out of businesses or even at times while walking on the street. It is aweful. The uproar in Ottawa at first was overwhelming; but eventually it calmed down. I love returning to Ottawa to visit and not have to SMELL that aweful smell and not have to hold my breath or tell my children to do the same. Please do the right thing for the Health of all North Bay residents and visitors!!!	Aug 29, 2012 8:41 PM
153 Enforce the By-Laws you have now, we do not need new ones that you will not enforce!	Aug 29, 2012 8:32 PM
154 I am a none smoker but feel this is going to far. Outside should not be just for some. The businesses and sporting areas have already designated appropriate areas and both smoking and non-smoking public have adjusted. As mentioned in the Nugget column, we will alienate the tourists just when we need them most.	Aug 29, 2012 7:31 PM
Enough already!! People will smoke, even if you try to prohibit them from doing so. If they aren't smoking on patios then they will spill out onto the sidewalks/streets, which is a safety issue. People are randomly getting attacked in the downtown core, 4 men have gone missing in the past 5 yrs, and this is what the city wants to spend their valuable time on! There is a bigger issue at hand here! Please get a life and focus on things that really matter like public safety.	Aug 29, 2012 7:28 PM
There are too many businesses where you cannot get 9 metres away to smoke unless you stand in the middle of the street. Private businesses should have the right to decide if they want to prohibit smoking on their property. For public venues, there should be a designated area for non-smokers and for smokers. Half of the laws regarding smoking in vehicles, just like cell phones and texting are not policed properly as it is. I feel like my neighbours would be able to compain that I am sitting on my deck smoking. If the right to smoke is removed from all parks etc, then parents who do smoke will never take their children out	Aug 29, 2012 7:20 PM

Q6. Further Comments:	
for any activities because they will have to stay home. We know that smoking is bad, but it is an addiction and they (Council) have to remember that as well. We don't take alcohol away because there are alcoholics, we provide safe areas for intravenous drug users, but we won't allow areas for smokers??	
At it again, are we? Enough already: Smokers are not doing anything illegal because if they were, smoking would be illegal and it is not. Leave them alone for goodness sake. Second-hand smoke can only affect non-smokers if they are near them. It's not a smoker's fault if a non-smoker chooses to come near them. It's the non-smoker's fault. What's next? Any and all public places? And then what's next? People's homes? As smoking is repulsive to some, the following issues are repulsive to others. Why not concentrate on swearing, purple hair, tattoos, and spitting?	Aug 29, 2012 7:00 PM
The Health Unit needs to get off it's high horse. They should be working on something more pressing, like how to reduce the amount of drug users in the city. People are afraid to walk outside at night now, for fear of getting jumped by a crackhead. Although I suppose it'll give the police something to do rather than actually WORK to catch the real criminals in the city. They can just use this cash cow to meet quota; and not need to worry about the numerous random physical assaults by thugs: Just rememberfor every person that went to the hospital after and filed a report; many didn't because of the hassle. MUCH more happens in this city than the news seems to let on, I see it outside every day. North Bay is a city I advise people to stay away from, and not to move to. I'm working and saving every penny I can to get away from this hell hole, so my children can have a place where they won't need to see drunks and oxyheads stumbling around.	Aug-29; 2012 5:31 PM
159 I think there are already enough rules about where people can smokel. I agree with banning it at sporting events and of course, playgrounds but please leave the outdoor patios alone. Better yet, make them SMOKING so that non smokers wont be bothered by the issue:	Aug 29, 2012 5:24 PM
160	Aug 29, 2012 4:40 PM
161 While smoking is still legal, I don't believe such "by-laws" should be imposed. The municipality would not mis-treat any other minority in this fashion: If the government believes smoking is that bad for one's health; why don't they have the courage to abide by their convictions and just ban them. Oh yeah, they make too much money off them in taxes:	Aug 29, 2012 3:28 PM
:162⊈ Enough already∈	Aug 29, 2012 3:27 PM
163 I feel badly about encroaching on smokers rights to relieve their addictions in public but twice recently I was eating on a patio in a restaurant when someone lit a cigarette. Aside from the proven health risk which they ignore and feel comfortable subjecting me to, it detracted from the dinner experience I paid for.	Aug 29, 2012 2:59 PM
164 Me and my family should not have to deal with second hand smoke in any public place, period.	Aug 29, 2012 2:53 PM
165 The city should also designate all rental properties and rental property common	

Q6. Fur	ther Comments:	TANK TOTAL
	areas non-smoking. All school buildings and bus stops should also be designated non smoking.	
166	The Government is going way to far with this SMOKINGwhere are the rights of smokers? we had all our rights taken away by non-smokers who cry about second hand smokeW had to obey the smoking laws years ago with smoking outside on patios and outside the bars so the non-smokers could breath betterNow they want us to smoke 30 miles away from all doorsYou know thats crapIf they don:t like the smoking outside on patios and bars eat insideor quit the Bitching!! "GO SMOKERS! GO!	'Aug 29, 2012 2:00 PM
167	If the city continuously removes the rights and freedoms of the people of the city, then sooner or later a protest will occur. I'm all for banning smoking to places like parks and playground where there are children, who really shouldn't be exposed to it in the first place, but to take it away from places like patio's or restaurants is complete ridiculous. Where are the smokers supposed to go? If it's really that much of an issue, get a divided patio where half is smoking the other half non smoking, and give people the choice. We live in a democracy, and to take away the rights of a specific group of people is nothing better than living in a communist country.	Aug 29, 2012 1:40 PM
168	I think people in the city need to compromise if you are a smoker try and stand away from non smokers or children that may be around non smokers need to avoid standing directly beside a smoker if they don't like the smell or are allergic to it. Its kind of like the classic arguement of the tollet seat some men went it left up women want it put down we need a happy compromise to completely ban smoking in our city aside from outside our residential homes is impending on our rights as a human and citizen if your a non smoker don't complain about a person cigarette if you chose to stand next to them its all about common self and compromise.	Aug 29, 2012 1:09 PM
169	While I am in favour of restricting smoking in public areas, I do not think the City should impose additional rules on private properties.	Aug 29, 2012 10:16 AM
170	Recently we were in a restaurant on Manitoulin Island and customers were smoking inside the premises at their table. I thought smoking in restaurants was banned??	Aug 29, 2012 10:14 AM
171	I am a non smoker but I think you are taking away smokers right to smoke outside.	Aug 29, 2012 10:06 AM
172	Smokers often complain that they have rights. Non-smokers should have rights too. I cannot afford puffers or taking time off work because of asthma attacks induced from second-hand smoke. I routinely avoid shopping in places that have smokers outside. I also avoid festivals and events where there is nowhere to escape from the second-hand smoke.	Aug 29, 2012 10:02 AM
1.73	Private businesses should have a choice. As for parks, sports fields - maybe a designated area that isn't right at the edge of the sports field. Playgrounds yes because there are children on the equipment (but again, maybe a designated area away from the equipment). Open air is fine - it is the fumes from cars idling near by that is worse:	Aug 29, 2012 9:01 AM

Q6. Fur	her Comments:	
174	The Smoking laws are being carried too far Our rights as canadians have been taken away, staring with seat belts in the 60s. This country is becoming more communist than the forgein countries. Lets do something constructive like stop the government giving away millions in serverance pay to people not losing jobs. Instead raise the standard of living for seniors those people have good paying jobs and seniors live in poverty, but no one cares we are about dead anyway.	Aug 29, 2012 8:26 AM
175	If the major problem is the cigerette butts being left behind, I think instead of banning smoking everywhere, they should pass out more fines to smokers seen throwing their butts on the ground. (This happened to a friend of mine in Barrie, and I have seriously thought twice about throwing a butt on the ground ever-sinse.)	Aug 29, 2012 8:24 AM
176	When the hell did the swastika or the neo-nazi ss lightning bolts make their way, on to the City of North Bay logo? Keep your noses out of private businesses. They're already by-lawed, and governed beyond reproach. Focus on our infrastructure and what the City needs, not where it's citizens eat and smoke It's a choice::leave it up to the individuals. They can choose to NOT go on the patio, or the owner of the establishment can choose to have it smoke free.	Aug 29, 2012 8:24 AM
177	If feel very strongly about prohibiting smoking in public areas. I am a non-smoker and I am pregnant. I do not wish to be exposed to smoke or have my-children/husband exposed either. Most smokers do not have the courtesy to step aside to smoke, so it must be enforced in order to keep everyone less exposed to second-hand smoke. Thank you for looking out for the health of others who wish not to be exposed to smoke.	; Aug 29, 2012.8:09 AM
178	I think its a great idea, prohibit smoking! I dont smoke and dont enjoy breathing in others smoke. I find myself not going to outdoor events due to the people smoking.	Aug 29, 2012 8:06 AM
179	I think that North Bay has enough rules and bylaws in force I am not a smoker, however people are limited in everything they do. How about letting the people enjoy whatever they want. Life is too short to worry about every little rule. If someone is smoking and you don't want to be around it, then move to another spot. If someone feels sick around the smell of some foods; do they ban eating them from places? How about putting rotten teeth and pimple covered faces on all the chocolate bar wrappers. There are quite a few over weight people around you know. Lets just say you can only serve healthy foods and water in public places because someone on a diet or who has an allergy may be close by? What's next? It seems I see cars driving up and down back streets and sitting in Tim Horton's parking lots quite often. I think they say Bylaw Enforcement on them. I have yet to see them stop and enforce anything. Maybe North Bay just needs more laws so they (We) can pay for a few more of these people to drive around the city. How about a little freedom guys?	Aug 29, 2012 7:56 AM
180	ALthough I am not a smoker, it still feel like the smokers need some freedom, hence the "NO" response to Parks and Trails. Some places that are open and adults are around, I think that's ok. But where it's mainly children, that is where the line should stop. Children don't have the option to just get up a leave, an adult does.	Aug 29, 2012 7:55 AM

Q6. Further Comments:	
181 As an ex smoker of 10 years I hate the smell of smoke: It actually hurts sometimes to get a big wiff of it. Banning smoking in trails would help a lot with fires as well.	- Aug 29; 2012 7;39 AM
This is a tough oneI quit smoking last July (13 months ago)after smoking for almost 40 years. Your survey is to narrow for answering. Things can't always be yes or noquite often there is a grey area. I don't have a problem if there were designated smoking areas at festivals. You don't give that as an option. As for quest # 4do you have the legal right to prohibit smoking on 'private' patios? As much as I am enjoying being a non-smoker, I do remember how frustrating it was trying to find a place where I could smokepeople do have rights Just my 2 cents Regards Dave McPhail	Aug 29, 2012 7:19 AM
I do smoke and the last time I checked we live in a democratic society. Inside public places and school playgrounds I agree no smoking; but as a smoker I also have rights and beaches trails festivals outdoor events if I want to light up I should be able to. Private patios its up to the owner. If think the municipality should concentrate on more prominent issues like crime; there has been such an increase assaults and break insithat's what should be addressed. One last comment if everyone quit smoking where would the municipality recoup the taxes that would no longer be collected from the sale of cigarettes; right out of the public's pocket.	Aug 29; 2012 7:15 AM
There were thoughtless smokers at the festival this summer! One woman in particular, lit up often and then sat with the smoke blowing over the crowd. We had 2 children and a baby with our group and there were children in the group on the other side of her. In an open field there were lots of spots that she could have gone to when she felt the urge! For sure City sponsored events should be smoke free in consideration of children. Also the laws that are in place should be enforced, like at the doors into the Bingo Hall and grocery store and mail entrances.	Aug 29: 2012 7:06 AM
if it wasn't for smokers paying all those extra taxes, that go towards everything from cancer research to giving it all away to other countries, would the non smokers be willing to cough up the money??? I highly doubt itbeside's, know of a person, who works for the cancer society, and all this money in extra taxes just goes to pay for him and alot of others to fly to Vegas on "Business" while they gamble on our dime and charge everything from food and drinks to the private jet home to the cancer societyso if I want to smoke, I will, because even though, the country and provinces are all being run by dictators, still believe it's suppose to be a free country with freedom of choiceand my choice is to smoke, if you don't like it, then stay inside, you forced me outsideso stay where you belongor start paying me for the smoke your inhaling on my dime	Aug 29, 2012 7:03 AM
The Government won't prohibit all of these places due to money loss. Remember it is the Government who gets most of the money from people who buy smokes. This is so hypacritical to even suggest the government prohibit such places, as they are the ones who support smoking so they can make LOTS of money from it! It was surprised when they first prohibited smoking in bars/restaurants: I am sure they took a loss there.	Aug 29, 2012 6:59 AM
187 this is not a comunist state people have rights	Aug 29, 2012 6:57 AM

Q6. Further Comments:	
188 Smoking is such a bad and filthy habbit. I feel that the harder you make it for people that smoke maybe they will be forced in some way to quit!	Aug 29, 2012 6:49 AM
189 It would be nice to enjoy the fresh air that the North Bay area provides without the smell of smoke. Thanks for your efforts:	Aug 28, 2012 11:24 PM
190 It is important to be setting an example for children and youth and encouraging adults to act as role models for the betterment of the health of all our citizens in both the short and long term. The effects of smoking are well known to everyone there is no need to allow it in any of these areas.	- Aug 28, 2012 8:23 PM ∑ e;
191 Question 2: Special events and festivals should not be designated smoke-free; but there should be designated smoking areas instead of wherever you like. Question 4: This should not only be North Bay, but should be ammended to be part of the Smoke Free Ontario Act.	Aug 28, 2012 5:31 PM:
Smoking should be prohibitted especially at children's eventslike the soccer jamboree for exampleIt should be common sense not to smoke around children; but unfortunately not all people stop and think before they "light up." The bylaw will hopefully help with thisas long as it is enforced and fines are given it people do not comply with it.	:Aug 28, 2012 4:31 PM
193):thanks	Aug 28, 2012 4:01 PM
194 chow do you deal with downtown businesses where the 9 metres would include almost the entire area.	:Aug 28, 2012 3:51 PM
195. I completely understand smoking bans indoors but any further than that and lefel it infringes on the smokers rights!'m a non-smoker but I don't feel we should be banning people from smoking outside!!!! The one place I feel smoking should not be allowed is in a children's play areaother wise I don't feel we should prohibit people from smoking outside.	Aug 28, 2012 3:07 PM
196 I struggle with the outdoor patios, the reality is that business's need to provide a place for smokers to light up. Smoking is not illegal and as long as the smokers have a designated area I believe you are providing services to both smokers are non-smokers. I am and have always been a non-smoker. What you need to do convince the Federal Government to prohibit the sale of tobacco and good luck with that as we all know the reason it has not been done is the almighty tax: dollar they collect	nd is
197: The issue with sport fields (Omischl Field) is the fact that the fields are so far from the road and regular smokers cannot get to a non city facility while they are playing. There are areas at the far end of the ball parks where there could be a designated smoking area.	
198 Your habit of smoking should not impact my enjoyment of a long and cancer free life! No matter what any smoker says, they are killing me with their second har smoke, burning my feet with discarded cigarettes, littering my beaches and my parks with the disgusting ends to their smokes, destroying the environment with their plastic wrappers that are not biodegradable, tainting the air with their cancerous fumes and ruining my enjoyment of being outside. I am sick to deal of walking into a business through a cloud of smoke. I am sick of waiting for	nd h

Q6. Further Comments:	
health care because the system is clogged with "self-induced sick people" because their smoking habit makes them ill. It is disgusting and NOT MY PROBLEM!	
199 I am a non smoker but feel as that the City has no rights determining which building/patio or out door space should be deemed smoke free:	.: Aug 28, 2012 2:23 PM
200: Smoking still occurs within the 9 metre restrictions, le, bus stop, Oak St bus terminal, Public buildings. A bylaw is only as effective as adherence or enforcement, increasing the restricted areas is futile	Aug 28, 2012 2:17 PM 🔄
201 In my opinion, the fewer places where smoking is allowed; the better. If it is less convenient to smoke, hopefully more people will quit, making our entire community healthier.	Aug 28, 2012 2:00 PM
202 My daughter and I have a right to enjoy the outdoors. We choose to be a smoke free family. By doing so we are not exposing others to cancerous agents. The same cannot be said for those who CHOOSE to smoke in public places. They should not be allowed to expose my child to toxins. Thank you for listening. Jennifer Reid.	Aug 28, 2012 1:55 PM
203 I am a former smoker and have been completely stopped for over 6 years. I think, we have already over-regulated the smoking areas. Enough is Enough been there and suffered. Let's move on and ignore the anti-smoking Fanatics for once.	Aug 28, 2012 1:49 PM
I don't believe Government should have the right to ban smoking outside. It's going a little too far. I am not a smoker and I feel this is going overboard. I understand and agree with not smoking inside, it makes sense. But, just because some people who don't smoke think it's gross it shouldn't mean smokers should cater to those few whiny intolerant babies. Suck it up butter cup people have a right to smoke outside If you don't like it YOU ARE OUTSIDE so just walk away. This is such a close minded survery. As a non-smoker I think people are bringing this up just to shit disturb and control other people. As a non-smoker I believe that smokers have rights too I think fat people are disgusting so can we ban fat people form restaurants or force them to eat less. It is the exact same thing everyone has a habit and over-eating is just as unhealthy and can cause jsut as many health problems as smoking, so why don't we just pick on all the soking, igly, fat people and continue to make laws that segregate them. If you're going to pick on smokers pick on everyone with habits.	Aug 28, 2012 1:49 PM
205 you've stood your ground, you've prooved your worth, just north enough to be perfect.	Aug 28, 2012 1:49 PM
206 My Wife is 4.5 Months Pregnant and where ever we go we have to put up with second hand smoke. Wheter it's a t a ball diamond in the city, or in a parking lot going to get groceries, it's not something I want her or our unborn child exposed to. The more bylaws like this that are passed, will greatly reduce the amount of second hand smoke non smokers are exposed to. I don't feel like dying of cancer and leaving my children without a father because I had to be exposed to somone else's dirty habit.	Aug 28, 2012 1:49 PM
207 I don't smoke. We are over regulated in every way possible!	Aug 28, 2012 1:45 PM 4

Schedule "C" (continued)

Q6. Further Comments:	
208 I am a non-smoker, the City is going to kill small buisnesses and Restaurants if this is passed.	Aug 28, 2012 1:40 PM
209: Adults know enough to avoid someone who is smoking if they are concerned of the related health effects, however childeren should not be subjected to this whatso ever in public places as they do not know enough to avoid it, and they shouldn't have to:	Aug 28, 2012 1:37 PM
210 It am a former smoker. I don't think we need to take control of people\s lives, but need to curb the opportunities to STOP smoking anywhere we find kids, the less they want.	Aug 28, 2012 1:35 PM
211 'I'm not allowed to pee on people's heads after I drink beer so smokers shouldn't expose me to their second hand smoke ANYWHERE!!!	- Aug 28, 2012 1:31 PM
212 I feel that the cost to our tourism would be far too great to enforce these regulations on private patios. Likewise I fear events such as the Summer in the Park concerts would not be nearly as popular. If however you were to not specifically make the event smoke free but host it in a smoke free venue, it would have the same effect, without turning away attendees. Were these restrictions put in place federally or provincially I would fully support them.	Aug 28, 2012 1:15 PM
213 I think it is important to prohibit smoking in places where it is difficult for the non-smoker to get away from the smoke and still participate in the activity that is taking place, prohibiting smoking around children is a good thing:	Aug 28, 2012 9:13 AM
214 All government buildings should be a 9 metre distance regardless of what company is taking care of the building. They should not have an option to decide who should or should not have to follow the regulations:	Aug 22, 2012 10:03 AM
215 I also feel that those who smoke in public (or even their vehicles); and throw away their cigarette butts on the sidewalk (or out their car window); should be charged with littering.	-Aug 21, 2012 9:44 AM
216 SECOND HAND SMOKE SHOULD NOT BE A PROBLEM FOR AN NON- SMOKER! THANK YOU VERY MUCHIE	Aug 20, 2012 7:26 PM
217. Whenever I am at an event, it seems that the smoke finds me and blows right in my face. If I'm watching an event, and someone's cigarette smoke goes in my face, I have to move. This is very offensive if you are at an outside patio eating a meal at a restaurant. No different outside than in.	⊒Aug 20, 2012 11:50 AM∃
218 With the current by-laws outdoor patio space has become the defacto smoking areas in many locations which is not fair to the majority of the population that does not smoke.	Aug 20, 2012 10:57 AM
You need to make the law clear so people understand where they can and can not smoke. The current bylaw relating to smoke free entrances is ridiculous and hard to enforce. Some entrances are smoke free and some are not it.e Wal Mar you can smoke at the front door, but you can't smoke at the Food Court. Entrance. You can not smoke at Northern Honda's entrance, but you can at Toyota's. How are people suppose to track this or better yet know, Ignorance of the law is an excuse in this case as there's no consistency. This is a legal loop.	Aug 20, 2012 10:31 AM

Q6. Further Comments:	
hole. One could easily say they did not see the small sticker on the door. No smoking within 9 metres of all entrances (AND EXITS) in the City of North Bay, and smoking on all patios and a "fringe area" of 9 metres of the patio. Be sure it's clear. Also include "Exits" people will prop the door open out the fire escapes/exit only doors, keep it open with their foot and smoke.	
220 As an asthmatic I am sensitive to smoke even in outdoor places. I would likle to have equal and healthy access to recreation and retail places without being endangered by second hand smoke:	Aug 20, 2012 7:15 AM :
221 My health, the health of my family, friends and everyone is important.	Aug 20, 2012 5:41 AM
Just to let you all know us smokers are human and have rights too, we are not criminals and still deserve respect, we are also tax payers and pay taxes to operate all municipally owned or operated outdoor recreation areas, we also spend or hard earned money at business that have public and private outdoor patios, where food or drinks are sold. Smokers pay more taxes all round than none smokers	Aug 18, 2012 8:24 PM
The reason I'm against smoking at Parks/beaches is because children should not be subjected to second hand smoke at all and as an adult I also find cigarette butts disgusting. As for eventsit's too crowdedI once walked past someone who was holding a cigarette and ended up with a burn hole in my sleeve. Thanks for asking for our opinion!	Aug 18, 2012 3:00 PM
224 I hope you get enough support for this proposed by-law. This concept is so exciting for a healhier Ontariol	Aug 17, 2012 7:25 PM 🖫
Nobody should have to walk through a cloud of smoke, or breath in the carcinogens that linger in the air and on clothing from cigartette smoke. Society needs to shun smokers, as well as the cost associated with health care for cigarette-related illnesses. It also feel that people should be charged for littering when they throw their cigarette butts on the ground.	Aug 17, 2012 2:37 PM
I feel that my life would be greatly enhanced if I never had to smell another cigarette every again. If you look outside the hospitals for example, these bylaws are not being enforced. For patients who are trying to recover after surgery or illness, they are not even able to go outside for fresh air. The covered shelters designed for patients to use are full of smokers (patients and employees). The ground is littered with cigarette butts and it is not a healthy or inviting environment in which to recouperate. It really needs much more enforcement. Likewise, I now refrain from walking downtown during my lunch break. Heaven forbid I have to run errands that bring me there during the lunch hour. A person trying to get some walking in would benefit from wearing a gas mask to prevent the second hand smoke that is outside every business. It is quite disgusting! I also no longer sit on the patic when dining out. I can't imagine it does anything to improve our tourism Industry either. I know that smokers have rights too, however when their actions impact my life and heath of others in a negative way, it should be prohibited	Aug 17, 2012 11:01 AM
227 II feel that at special events/fesitivals smokers should be designated an area to smoke in rather than banning it all together.	Aug 17, 2012 10:57 AM

Schedule "C" (continued)

Q6. Fur	Although I completely support a smoke-free environment in public spaces. I thin that there needs to be a balance between smoker and non-smokers and not infringe on individual choice. With that said, I'm thinking of targeting those locations where the vulnerable population (children, pregnant women, elderly) are more likely to be and less likely to be able to walk away, and implementing more stringent policies in those areas. For ex: more stringent policies in playgrounds vs. trails.	k. Aug 17, 2012 10:50 AM
- 229	Appreciate the healthy and proactive actions	Aug 17, 2012 10:48 AM
230	Follow the model already set out in Ottawa.	Aug 17, 2012 10:43 AM
231	This is a terrific initiative - hope to see it happen!	

SMOKE FREE ONTARIO ACT as of May 31, 2006: Fact Sheet – Economic Impact of Smoke-Free Policies

Ministry of Health Promotion

Le ministère de la Promotion de la santé

This fact sheet provides basic information only. It must not take the place of medical advice, diagnosis or treatment. Always talk to a health care professional about any concerns you have, and before you make any changes to your diet, lifestyle or treatment.

- Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in restaurants and bars; in some cases these policies have had a positive impact. Initial impacts, if any, may be reversed over time.
- In 2003, U.S. and Australian researchers conducted an international, comprehensive review of all 97 English-language published and unpublished studies claiming to assess the economic impact of smoke-free policies on sales and employment in the hospitality industry. Almost all of the studies that found a negative economic impact of smoke-free policies had been funded by the tobacco industry. In addition, these studies were more likely to have used a subjective outcome measure (e.g., bar owners' opinions) rather than an objective one (sales data), and the studies were less likely to have been peer-reviewed. All of the best-designed studies that were not funded by the tobacco industry found that smoke-free restaurant and bars laws had no negative impact on revenue or iobs.1

Examples from other jurisdictions

- The City of Ottawa implemented a 100 per cent smoke-free workplace and public places bylaw in 2001, with no designated smoking rooms. After accounting for trends, seasonal variations, and general economic conditions, the Ontario Tobacco Research Unit found no evidence that the smoke-free bylaw adversely affected restaurant and bar sales.²
- New York City implemented smoke-free legislation in 2003. This law bans smoking in public places and workplaces, including bars and restaurants, and designated smoking rooms are not permitted. A one-year review by the city found that the bar and restaurant industry is

- thriving. Business tax receipts in restaurants and bars increased by 8.7 per cent compared to the same period the year before and employment increased by 2,800 jobs.³
- A study in Massachusetts compared the meals tax data collected from restaurants that were in communities with highly restrictive smoking policies with restaurants in communities without such policies. Researchers looked at data from 1992 to 1998. They found that there was no aggregate effect of smoke-free policies on businesses during this period.⁴
- In July 2004, Massachusetts implemented a state-wide smoke-free workplace law. Designated smoking rooms are not permitted. An evaluation of the impact of this law was recently reported by the Harvard School of Public Health. Researchers found that patronage at restaurants and bars remained the same after the law came into force, as compared to before the law. Inflation-adjusted meals sales tax collections were unchanged with the implementation of the law (comparisons were made on a month-bymonth basis with tax collections from the prior five years). Similarly, no changes were observed in alcoholic beverages excise tax collections. Finally, no change was found in the number of workers employed in restaurants and bars.3



Schedule "D" (continued)

- Scollo, M., Lal, A., Hyland, A., & Glantz, S. (2003). Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry. *Tobacco Control*, 12; 13-20.
 (Web:http://tc.bmjjournals.com/cgi/reprint/12/1/13?maxtoshow=&HITS=10&hits=10&RESULTFORMAT=&a uthor1=scollo&andorexactfulltext=and&searchid=1113661487642_412&stored_search=&FIRSTINDEX=0&sortspec=relevance&resourcetype=1&journalcode=tobaccocontrol)
- 2. Ontario Tobacco Research Unit. The economic impact of a smoke-free bylaw on restaurant and bar sales in Ottawa, Canada. *Ontario Tobacco Research Unit Research Update*, June 2003. (Web: http://www.otru.org/pdf/updates/update_june2003.pdf)
- 3. New York City Departments of Finance, Health & Mental Hygiene, Small Business Services, and Economic Development Corporation. *The state of smoke-free New York City: A one-year review*, March 2004. (Web: http://www.nyc.gov/html/doh/pdf/smoke/sfaa-2004report.pdf.)
- Bartosch, W.J. & Pope, G.C. (2002). Economic effect of restaurant smoking restrictions on restaurant business in Massachusetts, 1992 to 1998. *Tobacco Control*, 11(Suppl II), ii38-ii42).
 (Web:http://tc.bmjjournals.com/cgi/reprint/11/suppl 2/ii38?maxtoshow=&HITS=10&hits=10&RESULTFORM AT=&author1=bartosch&andorexactfulltext=and&searchid=1113829090862 286&stored_search=&FIRSTIN DEX=0&sortspec=relevance&resourcetype=1&journalcode=tobaccocontrol)
- 5. Connolly, G.N., Carpenter, C., Alpert, H.R., Skeer, M, & Travers, M. Evaluation of the Massachusetts Smoke-free workplace law: A preliminary report. April, 2005.

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COMMUNITY SERVICES COMMITTEE

Monday, April 22, 2013

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Chairperson: Vice-Chair: Member: Ex-Officio:	Councillor Mendicino Councillor Mayne Councillor Vaillancourt Mayor McDonald
CS-2001-35	Rezoning applications by Consolidated Homes Ltd. – Golf Club Road (D14/2001/CHLTD/GOLFCLUB).
CS-2003-37	Condominium application by Rick Miller on behalf of New Era Homes Ltd McKeown Avenue (D07/2003/NEHL/ MCKEOWN).
CS-2004-29	Rezoning and Plan of Subdivision applications by Rick Miller on behalf of Grand Sierra Investments Ltd Sage Road (D12/D14/2003/GSIL/SAGERD).
CS-2011-04	Motion moved by Councillor Mayne on January 24, 2011 re Designated Off-Leash Dog Area (R00/2011/PARKS/DOGPARK).
►CS-2013-05	Rezoning application by Conseil Scolaire de District Catholique Franco - Nord Beno - 152 Greenwood Ave. (D14/2013/CSDCF/152GREEN).
►CS-2013-08	Report from Sharon Kitlar dated March 13, 2013 re Smoke Free By-Law Amendment – Municipal Parks (C00/2013/BYLAW/SMOKING).
CS-2013-09	Report from Beverley Hillier dated March 21, 2013 re Revised Notice Requirement – Proposed Zoning By-Law Amendment & Draft Plan of Condominium by Miller & Urso Surveying Inc. on behalf of Golden Estates Limited – Ski Club Road (D07/D14/2009/GEL/SKICLUB).
►CS-2013-10	Report from Kathleen Fralic dated March 7, 2013 re 2012 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee (C01/2013/MAAC/GENERAL).
CS-2013-11	Report from Elizabeth Courville dated March 26, 2013 re Proposed Amendments to Sign By-Law No. 2006-143, as amended (C00/2013/BYLAW/SIGNS).
CS-2013-12	Report from Peter Carello dated April 8, 2013 re Rezoning application by Miller & Urso Surveying Inc. on behalf of 1794504 Ontario Inc. – 2 Sunset Blvd. (D14/2013/17945/2SUNSETB).

CS-2013-05

Draft Recommendation:

- "That 1) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno, 152 Greenwood Avenue in the City of North Bay to rezone the property legally described as Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT), from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone be approved; and
 - 2) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."

City of North Bay

Report to Council

Report No: CSBU 2013 - 53 **Date:** April 16, 2013

Originator: Peter Carello, Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Miller & Urso Surveying Inc.

on behalf of Conseil Scolaire de District Catholique Franco-Nord

Beno – 152 Greenwood Avenue

File No: D14/2013/CSDCF/BRNELMGR/#840

RECOMMENDATION

- 1. That the proposed Zoning By-law Amendment application by Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno, 152 Greenwood Avenue in the City of North Bay to rezone the property legally described as Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT) from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone, BE APPROVED; and
- 2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

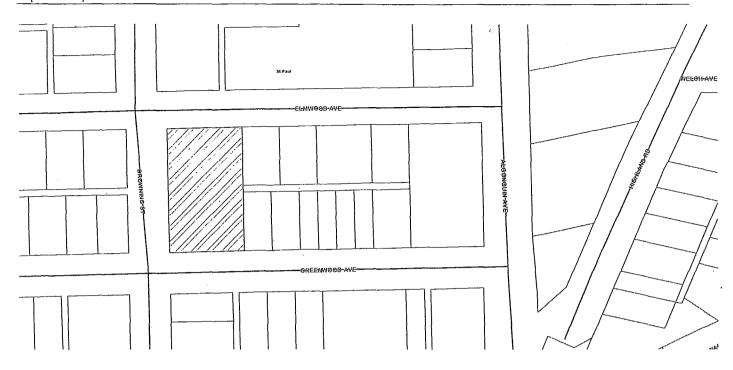
BACKGROUND

Site Information

Legal Description: Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT) in the City of North Bay, District of Nipissing.

Site Description: The subject property is located at the intersection of Browning Street and Elmwood & Greenwood Avenue. Formerly the site was used in conjunction with St. Paul School located across Elmwood Avenue. It is currently developed with a small accessory structure and an outdoor skating rink.

The property is comprised of 8 whole lots on a Plan of Subdivision that was created in 1912, which means each of the properties could currently be transferred and sold. Each of these lots consists of 9m (30 feet) frontage and a lot area of 260 square metres, which is undersized by current Zoning By-law standards.



The property has an existing total lot area of 2,110.6 square metres and lot frontage of 36.44 metres.

The property is presently zoned "Residential Third Density (R3)" under Zoning Bylaw 28-80 and is designated "Residential" under the Official Plan.

The applicant recently received conditional approval from the Committee of Adjustment in order to sever the property into six (6) residential lots.

Surrounding Land Uses

The surrounding area is comprised mostly of low density residential dwelling units. The former St. Paul School is to the north of the subject property. The property is in close proximity to Algonquin Avenue, which is developed commercially.

North: Former St. Paul school

South: Low Density Residential uses East: Low Density Residential uses West: Low Density Residential uses

Proposal

Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno has submitted a Zoning By-law Amendment application to rezone the property from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone. The special component of the proposed amendment would increase the maximum lot coverage from 35% to 40%.

As the property is presently made up of eight whole lots on a Plan of Subdivision, the individual parcels are legal non-complying residential lots.

Though they would not meet the present day Zoning By-law requirements, they could be built on and sold without any applications under the Planning Act.

The School Board is in the process of transferring the property to a local construction company in order to permit residential redevelopment of the lands. The purpose of this Zoning By-law Amendment application (and the Consent to Sever application that was recently approved by the Committee of Adjustment) is to reconfigure the lots from 8 undersized, legal non-complying lots into 6 larger lots that would largely meet the regulations Zoning By-law 28-80.

Provincial Policy Statement (PPS 2005)

Section 1.1.3.1 states that "Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted".

Section 1.1.3.2 further states that "Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
 - 1. effectively use land and resources;
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8.
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3."

Finally, Section 1.1.3.3 states "Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

The general intent and purposes of the above noted sections are to encourage development and intensification within the Settlement Area when there are no mitigating factors, such as lack of infrastructure or negative environmental impacts.

The subject property is located within a well-established residential neighbourhood. It has access to a full range of public services, including municipal water/sewer, schooling, garbage collection, etc.

It is Planning Staff's opinion this application is consistent with the general intent of Provincial Policy.

Growth Plan for Northern Ontario (GPNO 2011)

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications must consider this Plan as part of the evaluation process.

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation /infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario.

Planning Staff is of the opinion there are no matters relevant to the GPNO 2011 to be considered as a result of the proposed applications.

Official Plan

The property is designated "Residential" under the City of North Bay's Official Plan.

The City of North Bay obtained approval from the Ministry of Municipal Affairs and Housing for our new Official Plan which came into effect on January 6, 2012. Any application received on or after this date is to be reviewed under the policies of the new Official Plan. This application was received on February 7th, 2013. The new Official Plan sets out broad policy direction for development within the settlement area (Urban Area).

The subject property is located within the Settlement Area of the municipality. Section 2.1 of the Plan identifies one of the objectives of the Plan is to concentrate new growth and redevelopment within the Settlement Area. In addition, policy 2.1.11.3(c) encourages the assembling of land for residential development to eliminate isolated parcels that would be difficult to develop at a later date.

It is Planning Staff's opinion this proposal represents infill development, consistent with the above noted policies of the Official Plan.

The Official Plan outlines policy for the subdivision of land in North Bay. Section 5.1.8.1 states:

"New development shall take place by Registered Plans of Subdivision rather than by individual land divisions by Consent to Sever by the Committee of Adjustment, except where:

- a) the creation of a new road allowance is not involved; and
- b) the City is satisfied that the Plan of Subdivision under the Planning Act is not necessary for the land described in the application for the proper and orderly development of the municipality."

The 8 existing lots currently have frontage on Elmwood and Greenwood. There is no requirement for extending municipal services or the creation of new roads. It was therefore appropriate to create these lots by way of the Consent to Sever process rather than a Plan of Subdivision.

It is the opinion of Planning Services Staff the requested Zoning By-law Amendment to reconfigure the property lines in order to create larger lots maintains the intent of the City of North Bay's Official Plan.

Zoning By-Law No. 28-80

The subject property is currently zoned "Residential Third Density (R3)" through the City of North Bay's Zoning By-law 28-80.

The following uses are permitted within the "Residential First Density (R3)" zone:

- single detached dwelling unit (min frontage of 13.7m);
- semi-detached dwelling units (min. frontage of 9m/dwelling unit);
- duplex dwellings (min. frontage of 18m);
- Group Home Type 1;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

The proposed Zoning By-law Amendment to a "Residential Fifth Density Special Zone No. 131 (R5 Sp.131)" permits the following uses:

- 1 storey single detached dwellings (min. frontage of 9m);
- 1 ½ storey single detached dwellings (min. frontage 10.5m);
- semi-detached dwellings (9m/dwelling unit);
- Group Home Type 1;
- accessory home based businesses;
- · parks, playgrounds & non-profit uses; and
- institutional uses.

The special component of the R5 rezoning would increase the maximum lot coverage from 35% to 40%.

The existing lots are currently whole lots in a Plan of Subdivision. These lots are presently zoned "Residential Third Density (R3)" in the City of North Bay's Zoning By-law 28-80. The lots could be developed for single detached dwellings under the provisions of Section 3.7 of Zoning By-law 28-80, which states "the construction of one single detached dwelling may be permitted on a vacant lot in a residential zone having less than the minimum frontage, but not less than 9m (30') frontage, provided that such a lot was legally registered and existing on August 31, 1980 and provided the development meets all other requirements of this by-law."

Since the lots were created in 1912, the lots have a legal non-complying status in terms of frontage and lot area. The Applicants are proposing to rezone the subject lands to an R5 Sp.131 zone, which would permit maximum lot coverage of 40%.

The purpose of the increased lot coverage is to maximize the allowable setbacks permitted by the City's Zoning By-law. Generally the intent of the lot coverage provisions is to ensure properties are not over crowded. The proposed development is very comparable to the existing surrounding development and as a result, it is Planning Staff's opinion the proposed amendment is appropriate.

In addition, it is Planning Staff's opinion that the proposed Zoning By-law amendment application would bring the property into closer conformity with Zoning By-law 28-80 through the proposed "R5" zone.

The proposed development on the properties will meet all other regulations of Zoning By-law 28-80.

Correspondence

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and agencies that may have an interest in the application.

The Chief Fire Prevention Officer, Union Gas, Chief Building Official, Secretary-Treasurer of the Heritage Committee and the North Bay Mattawa Conservation Authority all offered no objections to this application.

Bell Canada provided the following comments: "it has been identified that Bell Canada will require a transfer of easement over the lands identified as Part Lot 291, Plan 86 (portion severed 5), in order to protect the existing buried cable. A request for a 2m wide easement corridor measured 1m on either side of the buried installation. It will be necessary for the owner to arrange for a cable located to determine the exact location of the facilities at the owners' cost."

The applicant and Bell Canada have been in discussion regarding the easement requirement for the property. This has been addressed through a condition of approval of the Committee of Adjustment.

No correspondence was received from members of the public.

OPTIONS/ANALYSIS

OPTION 1:

1. That the proposed Zoning By-law Amendment application by Miller & Urso Surveying Inc. on behalf of Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno, 152 Greenwood Avenue in the City of North Bay to rezone the property legally described as Registered

Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT) from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone, be APPROVED; and

2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

OPTION 2

To not approve the proposed Zoning By-law Amendment. This option is not recommended as it is Planning Staff's opinion the proposal represents good planning.

SUMMARY

Option 1 is the recommended option.

The proposed Zoning By-law would reconfigure the lot lines in order to permit the residential redevelopment of the subject property. If approved, the property would develop as six lots meeting the regulations of the Zoning By-law, with the exception of the special zone request to increase the maximum lot coverage increase from 35% to 40%.

Planning Staff is of the opinion the proposed Zoning By-law Amendment would allow for the redevelopment of the subject property in a manner that is consistent with the character of the neighbourhood. Planning staff is also of the opinion that an R5 Sp.131 zone is more appropriate than the undersized legal non-complying R3 lots that presently exist.

It is my professional opinion that the proposed Zoning By-law amendment is in conformity with the Official Plan and the end use is consistent with Provincial Policy, as set out by the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005).

Respectfully submitted,

Peter Carello

Senior Planner, Current Operations

PC/dlb

attach. Schedule A

We concur with this report and recommendations.

Beverley Hillier, MCIP, RPP Manager, Planning Services

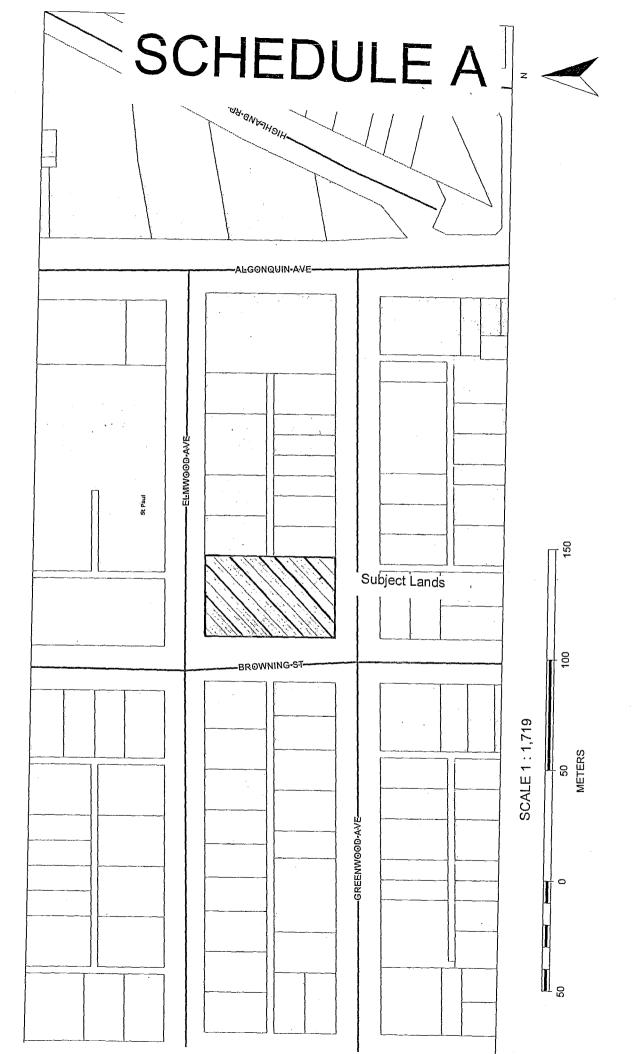
Peter Chirico

Managing Director, Community Services

erry DKnox

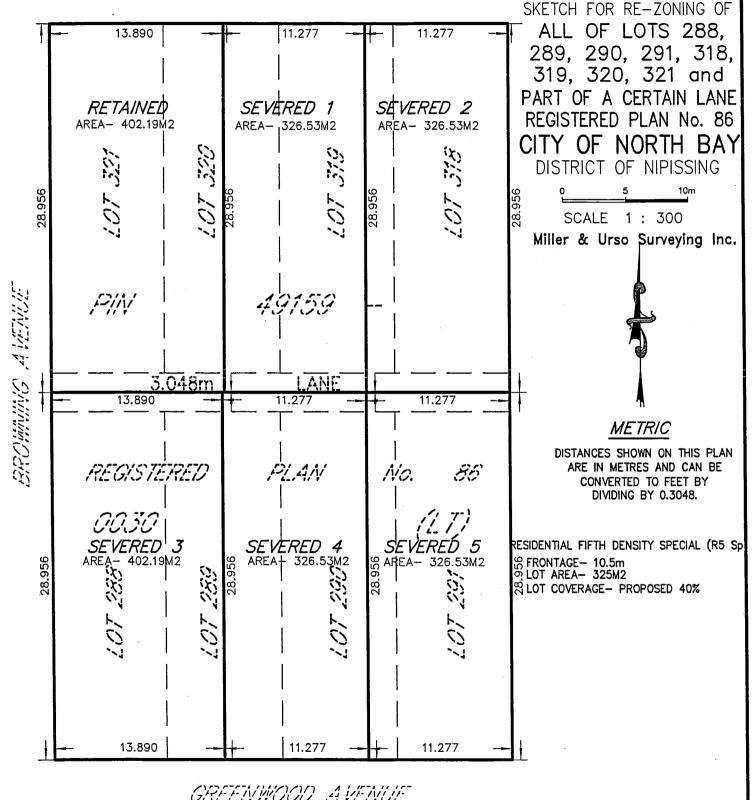
Chief Administrative Officer

Personnel designated for continuance: Senior Planner, Current Operations



ELMWOOD AVENU

SCHEDULE B



GREENWOOD AVENUE

Miller & Urso Surveying Inc.

Ontario Land Surveyors • Canada Land Surveyors Project Managers • Planning Consultants 1501 SEYMOUR STREET NORTH BAY ON P1A 0C5

TEL: (705) 474–1210 FAX: (705) 474–1783



CS-2013-08

Draft Recommendation:

- "That 1) the Parks By-Law No. 35-96 and Smoking By-Law No. 2012-97 be amended to prohibit smoking in Municipal parks (playgrounds, parks, sport fields, beaches and trails), and that special events hosted in Municipal parks also be designated as smoke free; and
 - 2) these amendments come into effect beginning June 1st, 2013."

City of North Bay

Report to Council

Report No: CSBU 2013-36

Date: March 13, 2013

Originator:

Sharon Kitlar, Manager Recreation and Leisure Services

Subject:

Smoke Free By-Law Amendment – Municipal Parks

RECOMMENDATIONS

1. That the Parks By-Law No. 35-96 and Smoking By-Law 2012-97 be amended to prohibit smoking in Municipal parks (playgrounds, parks, sport fields, beaches and trails) and that special events hosted in Municipal parks also be designated as smoke free.

2. That these amendments come into effect beginning June 1, 2013.

BACKGROUND

On August 2, 2011, Resolution No. 2011-556 was passed by Council. (See Schedule A) In addition to prohibiting smoking at the Steve Omischl Sports Complex, Council directed staff to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit (NBPSDHU) and report to Council regarding the review.

In response to this request by Council, staff has worked with the Health Unit to conduct a review of smoking at: restaurant and bar patios; Municipal parks (parks, playgrounds, sport fields, beaches and trails); and special events. The Parks, Recreation and Leisure Services Department directed the review relating to City parks and the Legal Department directed the review relating to smoking on patios. A report pertaining to patios is simultaneously being presented to Council through Report CORP–2013-005.

Similarly, at the September 28, 2011 regular meeting of the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property:
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

(See Schedule C, page 2)

Support for Smoke Free Outdoor Spaces

There is much evidence that supports the creation of smoke free outdoor spaces. Play, Live Be Tobacco Free, Appendix C (2011) a collaborative guide for developing tobacco-free sport and recreation policies and by-laws (See Schedule D); identifies six benefits of tobacco free sports and recreation which can be expanded to include outdoor spaces. These include:

- 1. Preventing youth from starting to smoke
- 2. Protecting the environment
- 3. Protecting children from second hand smoke
- 4. Giving everyone a chance to perform at their best
- 5. Creating a tobacco free culture
- 6. Helping smokers quit

As stated in the Health Unit's Report on Smoke Free Patios, (Schedule C), "second hand smoke is as dangerous outdoors as it is indoors". Studies have reflected that the harm and impact to health is the same from second hand smoke whether it is indoors or outdoors.

Parks are places where people of all ages gather to partake in a variety of activities. Exposure to second hand smoke impacts their enjoyment as well as exposing them to the side effects of the smoke. Smoke free parks would protect everyone in parks from the exposure to second hand smoke including vulnerable populations such as children and those with health concerns such as asthma. This is further supported by the NBPSDHU Briefing Notes document. (See Schedule B, pages 3 and 4)

Community Survey Process

In order to assess community sentiment concerning the feasibility of smoke free parks, the City and the Nipissing Parry Sound District Health Unit undertook a community consultation process that included an online questionnaire; survey of sport field user organizations and a survey of event organizers for events that take place in municipal parks. The following is a summary of the results and comments from the surveys. (See Schedule E)

Online Questionnaire

A total of 563 responses were registered with the following percentages in support of smoke free park areas.

87.2%	Yes
76.1%	Yes
64.3%	Yes
63.3%	Yes
60.4%	Yes
	76.1% 64.3% 63.3%

The following is an overview of the types of comments included with the survey responses:

Those in support of smoke free parks:

Don't want to smell or breathe in second hand smoke

Second hand smoke kills

People with asthma can't go places where people smoke

I am forced to leave places when people are smoking

Very difficult to enjoy places when there is smoke around

People who do not smoke should not have to endure second hand smoke

Smoking shouldn't be allowed in places where children go

Enforcement is a concern, may need more resources

Litter from cigarettes is disgusting; need to be removed from beach sand so kids can play

Special events should be smoke free

If events are smoke free consider a designated smoking area Need to set an example of not smoking for children

Those against smoke free parks:

This is infringing on smoker rights
Smoking is a legal right
Stop harassment of smokers
People who don't want to breathe in smoke can just leave
Can't enforce this type of by-law so why implement
Smoking is a hard addiction to break
Banning doesn't cure the core issue. It's about personal decisions.
Designated smoking areas suggested
People should be able to smoke in open spaces

Sport Group Users Survey

A survey was sent to groups who use municipal sport fields on a seasonal or regular basis. The majority of those who responded, indicated support for no smoking in parks (playgrounds, sport fields, beaches, trails and at special events). One suggestion included the designation of a smoking area at sport fields during adult play.

At a meeting with sport field users in 2011, the matter of smoking at sport fields anywhere in the City was raised; there was unanimous support for a City wide ban of smoking in all parks.

Special Event Organizers Survey

A survey was sent to organizers of special events that occur in municipal parks. Those who responded indicated support for no smoking in (playgrounds, sport fields, beaches, trails and at special events. Comments included concern for the litter created by cigarette butts, concerns regarding exposure to second hand smoke and presenting nonsmoking role models for small children.

Municipal events such as Summer in the Park, Canada Day and Families First were also surveyed. The response from representatives was mixed. While most supported smoke free events there were comments that indicated that if park events were to be smoke free then the ability to designate a smoking area should be considered. The committee members from Families First do not support smoke free events in outdoor areas.

Other Municipalities with Smoke Free By-Laws

There are a number of Ontario municipalities that have adopted by-laws pertaining to smoking. These include Barrie, Bonfield, Elliot Lake, Espanola, Huntsville, Ottawa, Kirkland Lake, Orillia, Parry Sound, Peterborough, and Sault Ste. Marie, Thunder Bay and Timmins. Most recently the City of Sudbury declared all parks and related facilities to be smoke free beginning May 1, 2013. Each of these municipalities has adopted by-laws that prohibit smoking in municipal parks. This includes areas such as playgrounds, sport fields, splash pads, outdoor rinks, picnic shelters and beaches. Some of the municipalities have implemented a buffer zone ranging from nine to fifteen metres while others simply ban smoking on municipal parkland similar to the by-law at Steve Omischl Sport Field Complex. At the Complex those who wish to smoke must do so off of the park property along the Lakeshore Drive road allowance. It would seem that an overall ban of smoking in parks provides clearer boundaries. In this

way, there is no confusion about where smoking is allowed which make compliance and enforcement easier.

Exclusions to the by-law in some municipalities permit situations where the smoke or smoking is used in a stage production or theatrical performance or if the holding of lit tobacco is carried out for traditional Aboriginal cultural or spiritual purposes.

Based on the comments received from special event organizers and the community with respect to special events on municipal parkland it was suggested that there be a process put in place whereby if event organizers wish to create a designated smoking area within their event they may apply to the municipality to do so. The municipality would have requirements regarding placement of this area, i.e. distance from activities, age of those who are allowed inside the area, how the area would be signed and monitored, etc. This is not being recommended by either the Health Unit nor this department. It would be difficult to enforce and or make the distinction of what constitutes a "special event". The banning of smoking from all municipal events and facilities would provide a clear and consistent policy that would not be subject to interpretation.

Enforcement

The issue of enforcement of the by-law was expressed throughout the survey responses. According to the Health Unit, research has found that proper education, signage and clear boundaries assist with compliance and enforcement issues are often over stated. (Schedule B, Briefing Notes, page 6). The municipality would be responsible for enforcement with the Health Unit providing consultation support as required.

Awareness and Education

To assist with enforcement and compliance as indicated above, a comprehensive education and awareness program should be implemented. Education and awareness tools could include: signage in park areas, media advertising, use of social media, communication to the groups and organizations that use our parks, and a statement in the terms of rental agreements.

ANALYSIS / OPTIONS

Option1:

Approve all recommendations. This would mean that effective June 1, 2013, Municipal parks and events would become smoke free. Staff would proceed with the implementation of a thorough education and awareness process utilizing tools mentioned in the report.

Option 2:

Do nothing. This would mean that smoking would be continued to be allowed in municipal parks and at special events.

Option 3:

If Council is not satisfied with the recommendations as stated, Council can choose to amend the

recommendations based on their interests. Depending on the amendments staff would proceed with the detailing of the guidelines and the implementation of a thorough education and awareness process utilizing tools mentioned in the report or any other tasks that may come out of Council's recommended amendments.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 is the recommended option.

- That the Parks By-Law No. 35-96 and Smoking By-Law 2012-97 be amended to prohibit 1. smoking in municipal parks (playgrounds, parks, sport fields, beaches and trails) and that special events hosted in municipal parks and facilities also be designated as smoke free.
- 2. That these amendments come into effect effective June 1, 2013.

Costs associated with the approval of the Parks and Smoking By-Law amendments would be taken out of financial resources allocated through the 2013 budget process.

Submitted by,

Sharon Kitlar

Manager Recreation and Leisure Services

I concur with this report and recommendations.

Ian Kilgour

Parks, Recreation and Leisure Services

Peter Chirico

Managing Director Community Services

Chief Administrative Officer

Person designated for continuance: Manager Recreation and Leisure Services

Schedules:

- A Resolution 2011-556, Smoking Prohibition at Steve Omischl Sports Complex
 B North Bay Parry Sound District Health Unit Briefing Notes
 C North Bay Parry Sound District Health Unit Report to the City
 D Play, Live Be Tobacco Free, Appendix C (2011)
 E Community Survey Results

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INTER OFFICE		MECEIVED
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	Council Se	cretariats
MEMO		A DESCRIPTION OF THE PROPERTY

To:

lan Kilgour

From:

Cathy Conrad

Subject:

Smoking Prohibition at Steve Omischl Sports Complex

Date:

4 August 2011

This is Resolution No. 2011-556, as amended, which was passed by Council at its Regular Meeting held Tuesday, August 2, 2011.

Resolution No. 2011-556:

- "That 1) smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex, including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries;
 - 2) Parks By-Law No. 35-96 be amended accordingly; and
 - 3) staff be directed to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings."

C. Carrad

Cathy Conrad, City Clerk.

CMC/cjc

Copy to:

J.D. Knox

BRIEFING NOTE

То:	Board of Health, North Bay Parry Sound District Health Unit			
Prepared By:	Lydia Weiskopf-Tran, Community Health Promoter, Healthy Living Team Chris Bowes, Research and Policy Analyst, Research, Surveillance and Evaluation Unit			
Reviewed By:	Brenda Marshall, Program Manager, Healthy Living Team Monique Lugli, Executive Director, Community Services Dr. Jim Chirico, Medical Officer of Health/Executive Officer			
Subject:	Smoke-Free Outdoor Spaces			
Date:	September 28, 2011			
For Informatio	n For Discussion X For a Decision			
Issue:				

Daryl Vaillancourt, as chair of the Board of Health, received a letter from a local restaurant owner expressing interest in amending the City of North Bay's current smoke-free by-law to include patios.

June 22, 2011

The Board of Health discussed correspondence received from a North Bay restaurant requesting the Board of Health consider recommending an amendment to current municipal smoke-free bylaw to include smoke-free patios. Dr. Chirico indicated evidence supports that second-hand smoke does pose a health risk. A briefing note regarding the public health concerns of second-hand smoke on public patios will be prepared for the next Board of Health meeting

August 2, 2011

From The Corporation of the City of North Bay's Regular Meeting of Council: Report from I.G. Kilgour dated July 27, 2011 regarding smoking prohibition at Steve Omischl Sports Complex (C00/2011/BYLAW/PARKS) recommended that:

> o Smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries and the Parks By-Law No. 35-96 be amended to this effect; and

Date: September 28, 2011

 Staff be directed to undertake a review of smoking at all City facilities in consultation with the Health Unit and report to Council regarding their findings.

August 8, 2011

Request from Dr. Chirico, MOH, for a *Briefing Note* on smoke-free outdoor spaces, including patios, beaches, parks, as well as sports and recreation facilities.

Recommended Action:

Be It Resolved, That the Board of Health for the North Bay Parry Sound District Health Unit recommends that all municipalities within the North Bay Parry Sound District develop and adopt a by-law banning smoking

- 1) in all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- at entrances and exits of all municipally owned or operated building or for the entire property;
- 3) on, and within a 9 metre buffer zone of, all patios where food or drinks are sold, and

Furthermore Be It Resolved, That the by-law include a provision for business owners to apply to be included in the smoking prohibition for either a 9 metre set-back or for the entire property, and

Furthermore Be It Resolved, That the by-law allow special events and festivals to be designated as smoke-free, and

Furthermore Be It Resolved, That a copy of this resolution be forwarded to member municipalities within the North Bay Parry Sound District Health Unit service area, the Minister of Health Promotion and Sport, Public Health Ontario (Health Promotion, Chronic Disease and Injury Prevention), Smoke-Free Ontario, the Minister of Health and Long-Term Care, Ontario Boards of Health, Ontario Medical Officers of Health, and the Association of Local Public Health Agencies.

Current Facts:

> Tobacco & Health:

For many years now, tobacco use has ranked as the number one preventable cause of morbidity and mortality in Ontario and Canada. According to the Smoke-Free Ontario Scientific Advisory Committee (SFO SAC) (2010), in 2002, 17% percent of deaths in Canada were a result of tobacco use (p. 13). Moreover:

- o "tobacco use is responsible for three times as many deaths as the combined total of alcohol, drugs, suicide, homicide, injuries sustained from car crashes, and AIDS" (SFO SAC, 2010, p. 13).
- o "tobacco is the only legal product that, when used as intended, kills half of its users prematurely" (Tobacco Strategy Advisory Group, 2010, p. 5).

Briefing Note: Smoke-Free Outdoor Spaces Date: September 28, 2011

o "tobacco use costs the Ontario economy billions of dollars annually in health care and lost productivity costs. Reduced tobacco use will lead to better health, reduced demand on the health care system from tobacco-attributed diseases and less drain on productivity" (SFO SAC, 2010, p. 1).

In the North Bay Parry Sound District:

- o Approximately one quarter (25.8%) of individuals aged 12 years and older reported smoking daily or occasionally compared to 20.2% in Ontario (NBPSDHU, 2010, p. i).
- o Approximately forty percent (40.6%) of 35 to 44 year olds reported smoking compared to 24.1% in Ontario for the same group (NBPSDHU, 2010, p. i).
- The age standardized incidence rates of lung cancer for both males and females combined was higher in 2006 (62.5 per 100,000 population) and significantly higher in 2007 (66.1 per 100,000 population) compared to the rest of the province (52.2 per 100,000 population and 50.9 per 100,000 population, respectively; Cancer Care Ontario SEER*Stat Release 8 OCRIS May 2010, released February 2011).
- o Almost three quarters (71.8%) of current smokers planned on quitting in the next six months (NBPSDHU, 2010, p. ii).

> Second-Hand Smoke (SHS):

There is no safe level of exposure to second-hand smoke (SHS). There are over 4,000 chemicals in SHS, with at least 50 of them known to cause cancer (The Lung Association, 2008). In addition to various cancers, there are many other diseases that are caused by SHS, such as heart disease, stroke, and non-malignant respiratory disease. In children, these diseases can include "Sudden Infant Death Syndrome, fetal growth impairment (low birth-weight and small for gestational age), bronchitis, pneumonia and other lower respiratory tract infections, asthma exacerbation, middle ear disease, ... adverse impact on cognition and behaviour, decreased lung function, asthma induction, and exacerbation of cystic fibrosis (Physicians for a Smoke-Free Canada, 2001). Furthermore, 25% of the population has a health condition that can be aggravated by being exposed to SHS (The Lung Association, 2008).

Smoke-Free Outdoor Space:

The Smoke-Free Ontario Act (SFOA) currently protects individuals from second-hand smoke by prohibiting smoking in areas such as enclosed public spaces, workplaces, school properties, restaurant and bar patios (when they are either partially or completely covered by a roof) and in motor vehicles when children under the age of 16 are present. In addition to the SFOA, Section 115 of the Municipal Act, 2001, S.O. 2001, c. 25 (as amended), authorizes the Council of a local municipality to pass a by-law to prohibit or regulate the smoking of tobacco in public places and workplaces within the municipality. Furthermore, Section 12 of the Smoke-Free Ontario Act, S.O. 1994, c. 10 (as amended) permits municipalities to enact smoking by-laws that are more restrictive than sections 9 and 10 of the Act, subject to subsection 13 (3). Consequently, municipalities can create by-laws for smoke-free outdoor spaces, which may include patios, beaches, parks, and sports and recreation facilities. It is important to note, however, that

Date: September 28, 2011

Section 115 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (as amended) stipulates that the by-law will not apply to a highway which is defined in Section 26 of the same Act.

There are existing misconceptions about the health effects of SHS in outdoor spaces. For example, many believe that the SHS will simply dissipate into the open air; however, this argument is not supported by scientific evidence. Physicians for a Smoke-Free Canada (2010) state that "when there is no wind, cigarette smoke will rise and then fall, and will saturate the local area with second-hand smoke; [and] when there is a breeze, cigarette smoke will spread in various directions, and will expose non-smokers down-wind" (p. 1). Furthermore, studies have concluded that concentrations of SHS can be similar in outdoor and indoor settings [Klepeis NE, Ott WR, & Switzer, 2007; Repace J., 2008; Travers MJ, Higbee C, & Hyland A, 2007]. In addition to reducing exposure to SHS and improving air quality, legislated bans on smoke-free outdoor spaces have been found to have the following long-term outcomes: "reduced visibility of tobacco products and use (less social exposure); ... less modeling, fewer places and cues to smoke; ... substantial and equitable declines in tobacco use among youth and all adults; [and] improved health, reduced inequities due to tobacco, less health care for tobacco-related illness" (SFO-SAC, 2010, p. 203).

The following section provides additional information for smoke-free patios and other outdoor recreation areas, such as beaches, parks, playgrounds, sports and recreation fields.

Patios:

Smoke-Free Ontario Act (Current Status):

The Smoke-Free Ontario Act (2006) states that smoking on an outdoor patio of a restaurant or bar is prohibited "if any portion of a patio is covered or partially covered by a roof" (Ministry of Health Promotion and Sport, 2011).

Ontario (Current Status):

Ontario municipalities have the authority to pass by-laws that are more restrictive than the Smoke-Free Ontario Act (SFOA). In the Non-Smokers' Rights Association's most recent Scan of Bylaws, Ordinances and Legislation with Provisions that Exceed the Smoke-Free Ontario Act (Winter 2011 update), there were seven Ontario municipalities that prohibited smoking "on all patios regardless of whether they are covered by a roof or not" (p. 8).

Canada (Current Status):

In Canada, four provinces and one territory have legislation that is more restrictive than the SFOA with regards to smoking on or around patios. In Nova Scotia, the Smoke-Free Places Act, 2006, prohibits smoking on outdoor patios, as well as within 4 metres of these areas. The Yukon Territory's Smoke-Free Places Act, 2006, is almost the same, except that smoking is prohibited within 5 metres of outdoor bar and restaurant patios. While less restrictive than the previous examples, Alberta's Smoke-Free Places (Tobacco Reduction) Act, 2007 and Newfoundland and Labrador's Smoke-Free Environment Act, 2005, prohibit smoking on patios. PEI's Smoke-Free Places Act, 2009, is similar; however, the legislation allows smoking during the

Date: September 28, 2011

hours of 10 pm and 3 am. According to the NSRA (2011b), "PEI's new partial prohibition on patios represents a step forward but falls short of current SHS standards. A partial prohibition based on the time of day is open to abuse, potentially confusing for people, and does not adequately protect wait staff from SHS- unless there is no table service after 10 pm" (p. 15).

Creating smoke-free patios with buffer zones not only protects patrons from SHS, but also the health of hospitality workers. A study by Mulcahy M., Evans, D.S., Hammond, S.K., Repace, J.L. & Byrne, M. (2005) that "measured the blood nicotine levels in non-smoking bar workers who were not otherwise exposed to second-hand smoke... found that those who worked in bars with outdoor smoking areas had much higher blood nicotine levels, indicating that they had been exposed to much more second-hand smoke" (Physicians for a Smoke-Free Canada, 2010, p. 1). While some restaurant and bar owners have made an attempt to protect patrons from SHS by creating smoke-free areas on patios that allow smoking or by creating two separate patios, one with and one without smoking, this strategy does not protect workers from SHS.

Air quality on outdoor patios is significantly affected by tobacco smoke. Richard Stanwick, Chief Medical Health Officer of the Vancouver Island Health Authority (2007) states that "with as few as three cigarettes being smoked, the air quality was very similar ... to that which used to be found in indoor premises with no restrictions on smoking" (as cited by Physicians for a Smoke-Free Canada, 2010, p. 2). The Ottawa Council on Smoking and Health (n.d.) did "testing [that] revealed that when tobacco smoke was present on outdoor patios, the levels of fine particulate matter were five to twenty times higher than measured background levels, with occasional peaks even greater than twenty times above background levels" (p. 1). Furthermore, SHS can drift not only to adjacent outdoor spaces, but also indoors via windows, doors and vents.

> Other Smoke-Free Outdoor Spaces (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc):

As discussed in previous sections, there are many reasons for, and much evidence supporting, the creation of smoke-free outdoor spaces. Play, Live Be... Tobacco-Free (2011) identifies six benefits of tobacco-free sports and recreation, which can be extended to other outdoor spaces. These benefits are: "preventing youth from starting to use tobacco products; protecting the environment; protecting children from second-hand smoke, giving everyone a chance to perform at their best, creating a tobacco-free culture [and] helping smokers quit" (p. 41). Outdoor recreation areas are regularly frequented by children and according to Physicians for a Smoke-Free Canada (2010b) "most smokers and non-smokers agree, smoking and children do not mix – and it makes sense to have policies that can protect children from being exposed to tobacco smoke, cigarette butts and seeing adults smoke" (p. 1).

Public Opinion:

In 2009, the level of support among Ontario adults for banning smoking in parks and on beaches is 59%, a significant increase since 2007 when support was 47.8%. (Centre for Addiction and Mental Health Monitor 2011a and Centre for Addiction and Mental Health

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2011b). A recent survey involving eight health units (Durham, Simcoe Muskoka, Halton, Toronto, Kingston, Lambton, Waterloo, and Oxford County) in 2008 found a strong level of support for by-laws establishing smoke-free public places. These results included 85.0% support for making public playgrounds smoke free, 80.4% support for making outdoor sports field smoke free, and over 70% support for making public beaches and patios smoke free (Rapid Risk Factor Surveillance System, 2011).

> Compliance With and Enforcement of Smoke-Free Outdoor Spaces By-Laws:

The North Bay Parry Sound District Health Unit has three part-time Tobacco Enforcement Officers (TEOs). The primary responsibility of the TEOs is to enforce the Smoke-Free Ontario Act (SFOA); however, they currently support a small number of municipalities with the enforcement of their smoke-free outdoor spaces by-laws. Nevertheless, with 31 municipalities in the North Bay Parry Sound District the TEOs do not have the capacity to increase the number of by-laws that they enforce. In addition, the Program Training and Consultation Centre (2010) found that the anticipated problems with compliance are overestimated and that proper education, signage and clear boundaries can increase compliance (p. 4). They state that "it is unlikely that active enforcement is the main deterrent for smoking in all smoke-free outdoor areas... [but] it has been useful in locations where the other methods such as signage and education have not worked. With this in mind, it is our recommendation that the enforcement falls within the realm of the municipalities and that the Health Unit will provide support and guidance by offering consultations as appropriate.

> Additional Information:

In 2010, the Smoke-Free Ontario Scientific Advisory Committee prepared the document *Evidence to Guide Action: Comprehensive Tobacco Control in Ontario*, which is intended "to provide scientific advice and submit recommendations to the Ministry of Health Promotion and Sport (MHPS) to inform renewal of the provincial tobacco control strategy for 2010-2015" (p.1). The goal of the recommendations put forward in this report is to "advance a comprehensive tobacco control strategy in Ontario which will lead to prevention and substantial reductions in tobacco use, reduced physical and social exposure to tobacco smoke, reduced tobacco-related health inequities across the province, and ultimately, elimination of tobacco-related illness and death in Ontario" (p.6). Recommendations that were made that are relevant to smoke-free outdoor policies are:

<u>Chapter 5: Prevention of Tobacco Use Among Youth and Young Adults</u> Policy Enforcement

[5.4] Develop, implement and enforce comprehensive tobacco control policies within and across settings (e.g., schools, colleges, universities and communities).

<u>Chapter 6: Protection from Tobacco Smoke and Social Exposure to Tobacco Use Smoke-free Policies</u>

Date: September 28, 2011

[6.1] Amend the Smoke-Free Ontario Act and Regulation to eliminate smoking of tobacco products and combustible water-pipe preparations in priority settings including:

- [a] Unenclosed restaurant and bar patios (including nine metres from the perimeter of the patio).
- [b] Not-for-profit multi-unit dwellings.
- [c] Selected outdoor public places such as doorways to public and commercial buildings (within 9 metres), transit shelters, provincially regulated parks and playgrounds, outdoor sports facilities, beaches, sidewalks and public events such as parades and outdoor entertainment venues.

Media and Social Marketing

[6.2] As part of a comprehensive tobacco control program, implement media and social marketing strategies that increase public awareness and knowledge of the health effects of exposure to second-hand smoke and social exposure to tobacco use, and that influence-social norms supportive of tobacco-free living.

Financial Implications:

Support the development and education of the tobacco-free by-laws.

Date: September 28, 2011

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Schedule "B" (continued)

Report on Smoke-Free Patios

To: Tina Murphy, Assistant City Solicitor and Sharon Kitlar, Manager Recreation and Leisure Services

From: Dr. J. Chirico, Medical Officer of Health

Resource Staff: Brenda Marshall, Manager – Healthy Living and Reed Morrison, Community Health Promoter – Healthy Living

Subject: Amendment to smoking by-law 2012 - 97 re: smoke-free patios

Executive summary

The City of North Bay has consistently demonstrated their leadership among Canadian municipalities in protecting their residents from the harms of environmental tobacco smoke (ETS). Since 2011, the North Bay Regional Health Centre (NBRHC) has been protected by a 100% smoke-free property by-law. Likewise, businesses and multi-unit dwellings have the opportunity to apply for smoke-free entranceways under the same by-law. Building on recommendations from the City of North Bay Council and the North Bay Parry Sound District Health Unit (NBPSDHU) Board of Health (BOH), this report summarizes the policy options, rationale, and feasibility of amending by-law 2012 – 97 to include a smoking ban on all patios where food and drinks are consumed. The City of North Bay once again has the opportunity to demonstrate their leadership and commitment to the health of their residents by prohibiting smoking on all commercial establishment patios.

Recommendation

THAT city council amend by-law 2012 - 97, being a by-law to regulate smoking in public places and workplaces, as follows:

- That Part 1 "Definitions" section 1.10 "outdoor patio" be deleted and replaced with the following
 - 1.10 "outdoor patio" means any outdoor area, whether enclosed or not, as well as a 9 metre zone from the perimeter of that area, that is adjacent to an establishment where food or beverages are sold and where food or beverages, or both, are consumed by the public;
- 2. That Part 1 "Definitions" section 1.13 "public place" be deleted and replaced with the following
 - 1.13 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry, which

includes outdoor patios as defined above, but does not include a street, road or highway;

3. That Part 1 "Definitions" section 1.15 "workplace" be deleted and replaced with the following

1.15 "workplace" means a building, structure, vessel, vehicle or conveyance or part thereof in which one or more employees work, including any other area utilized by employees, which includes outdoor patios as defined above, but does not include a street, road or highway.

Introduction

At the August 2, 2011 regular meeting, the City of North Bay Council directed municipal staff to work with the NBPSDHU to undertake a review of smoking at all commercial establishment patios and to report to council regarding their findings. Similarly, at the September 28, 2011 regular meeting, the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property;
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

This report will provide policy options as well as the rationale, reasoning, and feasibility for by-law 2012 – 97 to be amended as per the recommendations above.

Discussion

Issue

In order to protect patrons and staff from the detrimental effects of environmental tobacco smoke (ETS), the Smoke-Free Ontario Act (SFOA) was amended in July 2009 to clarify a smoking prohibition on outdoor patios if any portion is covered or partially covered (please refer to appendix A for more information). Despite this protection, smoking continues to occur on uncovered restaurant or bar patios, either from original design or from owner renovations to avoid this legislation. Due to this loophole in legislation, hospitality staff and patrons of bars and restaurants continue to be exposed to ETS. A 100% smoke-free patio by-law, which prohibits smoking on all commercial patios, provides the best possible protection for children, customers, and hospitality staff. Additionally, smoke-free policies, such as prohibiting smoking on patios, do more than protect people from ETS. Smoke-free policies also encourage people to quit smoking ^{1, 2}, make it easier for those who have already quit to remain smoke-free³, and protect kids from starting to smoke ^{4, 5}. The evidence is clear that smoke-free patios will help make North Bay a healthier community.

Public Health Considerations and Rationale

- Second-hand smoke is as dangerous outdoors as it is indoors
 - o Although some people believe that second-hand smoke is less hazardous outdoors, this is NOT supported by scientific evidence. Medical and health authorities around the world, such as the World Health Organization ⁶, the Centres for Disease Control ⁷, and the NBPSDHU agree that there is no safe level of exposure to second-hand smoke. Several studies have shown that second-hand smoke exposure is similar in both outdoor and indoor smoking areas and that second-hand smoke is as toxic outdoors as indoors ^{8–19}. In other words, smoking outdoors does not reduce the level of exposure or the amount of harm caused by second-hand smoke.
- Outdoor smoking areas are an unfair threat to workers' health.
 - o Hospitality workers are at a particularly high risk of exposure to second-hand smoke on patios. Repeated brief and intermittent exposure, such as that experienced by hospitality workers, is dangerous. Research has shown that, "in many cases, the effects of even brief (minutes to hours) passive smoking are nearly as large as those from chronic active smoking" ²⁰. For example, researchers have found that blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking ²¹. Until the first smoke-free indoor laws were passed, hospitality workers were exposed to incredibly high levels of chemicals from tobacco smoke. These chemicals, such as 4-aminobephenol, are so dangerous that NO level of exposure was permitted for any other category of worker. As long as smoking is permitted on patios, people who work in these environments will continue to be unfairly exposed. 100% smoke-free indoor and outdoor workplaces provide the best protection for hospitality workers and patrons.
- Outdoor smoking areas are a threat to public health
 - o Smoke from outdoor smoking areas drifts its way indoors, thereby exposing patrons and workers and placing them at risk ^{22, 23}. Even for workers and patrons who remain indoors, adequate protection is best provided by a 100% smoke-free indoor and outdoor workplace.
- Smoking on patios creates poor air quality
 - o While a common argument is that cigarette smoke can easily dissipate in open air and therefore has little effect on air quality, research has shown otherwise. Scientists in Waterloo, ON, conducted experiments on the effect of as few as eight cigarettes on a typical restaurant patio that had no roof, walls, awnings, or umbrellas. Experiments were repeated 46 times in different wind conditions. They found in each test that when cigarettes are smoked, the quality of the air in the patio area falls considerably. Measurements of air pollutants, including those that cause cancer and heart disease, quadrupled in some cases ²⁴.

- Smoke-free patios will not result in decreased revenue
 - o Fears of negative economic impact have been coupled with the introduction of each successive smoking restriction in bars and restaurants. However, these fears and arguments are unfounded as, "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases, these policies have had a positive impact." In accordance with the SFOA, any patio that is covered or partially covered by a roof or awning in North Bay is already smoke-free; 100% smoke-free patios will simply level the playing field. Additionally, over 75% of North Bay residents do NOT smoke. Smoke-free patio policies will increase customer satisfaction for the vast majority of patrons.
- Reducing smoking among hospitality workers is good for business
 - o Restaurant and bar owners will appreciate the increase in productivity that follows from having a smoke-free workplace. Dozens of studies have shown that smoke-free workplaces increase the number of smokers who try to quit, increase the number who successfully quit, and decrease the number of cigarettes smoked by those who do not quit ²⁶⁻²⁸. Additionally, helping staff to quit smoking improves their health and productivity while reducing sick days ²⁹. In fact, Canadian studies have shown that the total annual cost to employers for an employee who smokes is well over \$3,000 due largely to higher absenteeism, decreased productivity, and higher insurance premiums³⁰.
- While North Bay will be a leader in North East Ontario, there is significant precedence for smoke-free patios in Canada Large city centres such as Vancouver, Ottawa, and Victoria have implemented 100% smoke-free patio by-laws. Furthermore, cities with demographics similar to North Bay, such as Thunder Bay, Woodstock, Kingston, and Whistler, also have 100% smoke-free patios.

Public support and community consultation

The NBPSDHU and the City of North Bay undertook extensive community consultations. This process included a community wide online survey as well key informant interviews with restaurant and bar owners.

- Online survey
 - O A survey created by the City of North Bay and the NBPSDHU was distributed on August 17 2012 and sought to gain the opinion of the community at large. There were 563 respondents in total
 - o 57% of respondents were in favour of smoke-free patios
 - o 58% of respondents were in favour of smoke-free patios with 9m buffer zones
- Key informant interviews
 - o Two staff members, one from the City of North Bay and one from the NBPSDHU, conducted interviews with restaurant and bar owners in order to record their opinions

- and insights. Owners were provided a background of the topic and assurance that their comments would remain anonymous. In total, ten owners agreed to be interviewed.
- o 50% were against any changes to the existing by-law
- o 50% were in favour of amending the by-law to ensure outdoor eating and drinking areas would be smoke-free. A strong majority of those (80%) also agreed with the creation of a 9m smoke-free buffer zone.
- After analyzing comments, several themes were brought forward by restaurant and bar owners;
 - O <u>Health concerns</u>: There was near unanimous recognition of the negative health effects of smoking and environmental tobacco smoke. Owners who disagree with a smoke-free patio by-law largely suggested that individuals were responsible for their own health and have the option to avoid smoke if they so wish. Quite the opposite, most owners who were in favour of a by-law suggested that the harm to patrons and staff caused by tobacco smoke provides ample reason to remove smoking from a patio.
 - Customer complaints; owners in favour of smoke-free patios were more likely to have received complaints from customers regarding smoking. Predictably, owners who were not in favour were far less likely to have received complaints. Several owners, both for and against, stated that many customers would not lodge a complaint even if they were unhappy with smoking occurring beside their table on a patio. Two owners discussed that tourists not accustomed with Canadian laws complained of our restrictive approach to smoking while another owner stated that they predict an increased number of complaints from their smoking clientele should their patio become smoke-free. In contrast, another owner claimed that the by-law will surely reduce the amount of complaints received from non-smoking customers.
 - o Responsive to clientele: Nearly every owner, both for and against, claimed that their stance was in response to demand by their clientele. Many owners stated that the majority of their clientele was non-smoking, and therefore a smoke-free patio would cater to their preferences. Similarly, owners who estimated that a large percentage of their clientele smoke were less supportive of smoke-free patios. One owner brought forward that it is the right of a business owner to be responsive to their clientele and a by-law that restricts smoking would be an affront to this right and to the concept of a 'free-market'. In contrast, a different owner suggested that restaurants are "in the business of taking care of customers. If you do not care about the wellbeing of your customers, then you are in the wrong business."
 - Employee rights: While not discussed by the majority of owners, one did state that it is the responsibility of the business owner to protect the rights and health of their staff. This owner did not feel that it is fair for the hospitality industry to force non-smokers to work in a smoking environment. Along this line, another owner commented that staff members who smoke were assigned duties involving cigarettes, such as clean-up or serving smoking tables.
 - o <u>Property damage and garbage</u>: While the majority of owners claimed that property damage due to cigarettes was minimal, two did mention that it posed a serious problem for their business. One restaurant in particular has been forced to call the fire

- department several times because of fires caused by cigarette butts. Nearly every owner, both for and against, did mention that cigarette butts represented a major source of litter on their patios and property. One owner proposed that the City might find that the number of cigarette butts on downtown sidewalks would increase if customers were no longer able to smoke on patios. Most owners in favour were hopeful that more cigarette receptacles would concentrate cigarette litter in one area.
- o <u>Freedom of choice</u>: This topic was brought forward most often by owners who were not in favour of smoke-free patios. This was framed in two ways; the first being that customers should be allowed to smoke as the product in question is not illegal and it is a personal choice. Similarly, most added that non-smokers have the right to move or to not choose a restaurant that allows smoking if they are concerned for their health. Owners not in favour of smoke-free patios also framed the issue in such a way that business owners should have the right to choose how they operate their business.
- The role of government: With respect to government decisions affecting all owners, those in favour and those not in favour of smoke-free patios had vastly different opinions. Some owners not in favour suggested that less intervention by government with respect to smoking is better. Additionally, two owners claimed that government intervention was tantamount to discrimination. Conversely, most owners in favour of smoke-free patios concluded that government intervention was necessary. Many owners in favour discussed how they would not make their patio smoke-free without a by-law requiring the same of all North Bay patios. Most often, this was framed as 'creating a level playing field' and as the only way to fairly introduce smoke-free patios without hurting individual businesses.
- o <u>Respect for children / families</u>: Many owners, both for and against, highlighted the need to keep environmental tobacco smoke away from young children. Many owners claimed that it was difficult to see smoking occurring beside their young customers.
- o Existing policies that are more restrictive that current legislation: Several owners based restaurant-level policies on the need to protect non-smoking clientele and children. Many owners have either considered or already implemented policies on their patios such as no-smoking during peak meal times, having a smoking as well as a non-smoking patio, or creating a small smoking area on a patio that is further away from families. All restaurant owners mentioned that they had created policies requiring staff who smoke to do so away customers and eating areas.
- o <u>Alternative policies</u>: Some owners who were not in favour of smoke-free patios suggested that alternative policies were better suited to their business and our northern climate. The first alternative policy was to allow smoking after a certain time of the day (in most cases this would be following their dinner rush). They claimed that this would allow most customers to enjoy their meals on a smoke-free patio without affecting their after dinner crowd. Several other owners stated that their patio served as a smoking area during the winter months, with little to no food or drink being consumed during that time. They suggested that a smoking ban during the summer months might be more relevant. However, this was countered by another owner who claimed that an

- outdoor smoking area, even where food and drink are not consumed, would not eliminate the amount of smoke wafting indoors.
- o <u>Business outcomes</u>: While the majority of owners did not believe that a smoke-free patio by-law would affect their business either positively or negatively, a small number of owners fell on either side of this opinion. Some of the opposing owners pointed to research that indicate smokers spend more on hospitality than non-smokers as well as suggesting that tourists who smoke will be less likely to visit and dine in North Bay. Some owners in support of a by-law anticipated increased business as customers who previously did not visit their restaurants would be more likely to do so if the patios were smoke-free.
- o Some difficulties of 9 m buffer zones: Several questions were raised with regards to a 9 metre smoke-free buffer zone surrounding patios. The most commonly raised concern was that, in many cases, 9 m would place a customer who is smoking in the middle of the road or would overlap with another restaurant's 9 m buffer zone. City and Health Unit staff educated owners on laws of jurisdiction and reminded them that a nosmoking ban would effectively end at a road allowance. In other cases, some restaurant owners were concerned that this might increase the amount of customers leaving the premises without paying, however most of these concerns subsided when it was discussed that this does not happen during the winter months when customers who smoke must also do so outside.

Policy Options

- 1) Continue with no changes to by-law
 - a. Continuing with status quo fails to adequately protect patrons and hospitality workers from environmental tobacco smoke
- 2) Prohibit smoking on all outdoor eating and drinking areas at certain times of the day or year
 - a. This option would allow for smoking on outdoor patios at certain times of the day (for example, after 10:00 pm) or year (for example, between the months of October and March).
 - This option is exceedingly difficult for owners and hospitality staff to enforce as it creates large 'grey zones' where both patrons and staff may be unsure if the by-law applies
 - c. This option also does not provide adequate protection from environmental tobacco smoke as it does not address smoke wafting indoors and staff may still be required to serve in smoking areas.
 - d. These options were proposed by a small minority (two) of bar / restaurant owners.
- 3) Prohibit smoking on ALL outdoor eating and drinking areas at all times of the day and year
 - a. This option greatly enhances protection for children, patrons, and hospitality workers by prohibiting smoking within all defined outdoor eating and drinking areas.
 - b. Easiest to enforce for hospitality staff, employers, and enforcement staff

- c. The possibility for smoking directly beside the outdoor eating and drinking area, resulting in many of the same issues highlighted above.
- 4) Smoke-free patios and a 9 m buffer around patios
 - a. This option provides the highest level of protection for children, patrons, and hospitality workers by prohibiting smoking within the defined outdoor eating and drinking area, as well as a buffer zone surrounding it, to reduce the amount of drifting smoke and the possibility of smoking occurring directly beside the outdoor eating area.
 - b. As this option provides the greatest protection from the harms caused by second-hand smoke and it is preferred by half of restaurant / bar owners, it is the recommendation of the NBPSDHU that the City of North Bay adopt this as by-law.

Legal implication

The recommendations made within this report require review by The City of North Bay Legal Services
Department. There do not appear to be, however, any legal impediments to the implementation of
these recommendations. Pursuant to Section 115(1) of the *Municipal Act, 2001*, the City of North Bay
has the statutory discretion to adopt a by-law that prohibits or regulates the smoking of tobacco in
workplaces and public places. Furthermore, Subsection 115 (10) of the *Municipal Act, 2001* provides
that a municipal by-law that is more restrictive of smoking prevails over any conflicting provisions of the
provincial *Smoke-Free Ontario Act, 2006*. Independent of this specific authority to regulate the smoking
of tobacco, the City of North Bay also has the broad authority to enact by-laws in respect of the health,
safety, and well-being of persons pursuant of paragraph 6 of Subsection 10(2) of the *Municipal Act,*2001. The one exclusion under Subsection115 (3) is that a by-law shall not apply to a highway, except
that it may apply to public transportation vehicles and taxicabs on a highway. This exclusion limits the
restriction on smoking within a 9m buffer zone of patios when the smoking takes place in a space that
can be defined as a highway.

Financial implications

There are no anticipated significant costs associated with the implementation of these recommendations by the City of North Bay. Recent experiences with the implementation of 100% smoke-free patio by-laws elsewhere in Ontario, as well as experience with current smoke-free patio legislation, indicate that this type of by-law is generally self-enforcing, and thus actual enforcement activity and costs should be minimal. The costs of educating the public and business owners, producing new signage and primary enforcement of the by-law will be minimal.

Other considerations

The adoption of a 100% smoke-free patio by-law is part of a comprehensive approach to tobacco control which includes initiatives in tobacco use prevention, cessation, and protection. This approach to eliminate commercial tobacco use requires commitment from a variety of stakeholders, including municipal and provincial governments, law enforcement agencies, social service organizations, and health organizations such as the NBPSDHU. The NBPSDHU is committed to this comprehensive

approach to tobacco control and supports it with strategic initiatives in tobacco use cessation, prevention, and protection.

Initiatives by the City of North Bay to help control tobacco are well supported not only by the NBPSDHU, but by all other stakeholders involved in tobacco control. The NBPSDHU encourages City Council to view the adoption of this by-law not as an isolated action with a small benefit, but as part of a larger approach that will eliminate commercial tobacco from our society.

Conclusion

The combination of public concern, business support, and a myriad of health research supporting 100% smoke-free patios provides an excellent rationale for the Council of the City of North Bay to adopt the recommendations made in this report. It is also worth noting the important role that smoke-free patios play in the larger movement towards smoke-free outdoor spaces. It is critical that the City of North Bay deliver consistent messaging and rules for all outdoor spaces in order to create a tobacco-free culture. Supporting a 100% smoke-free patio by-law, along with other by-laws which prohibit smoking in outdoor spaces, will further cement the City of North Bay as a municipality that is wholeheartedly invested in the health and wellbeing of its residents.

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Fact Sheet On Tobacco-free Sport And Recreation

WHY IS TOBACCO-FREE SPORT AND RECREATION IMPORTANT?

Sport and recreation organizations play an important role in the health and well-being of people of all ages. The use of tobacco products during sport and recreation events by the participants, volunteers, officials, coaches, leaders and spectators sends a mixed message about tobacco use to youth.

Tobacco-free sport and recreation sends a clear message that sport and recreational activities and tobacco use do not mix.

Tobacco-free Sport and Recreation means that all participants, volunteers, officials, coaches, leaders and spectators, do not smoke, snuff, dip or chew tobacco while participating in a sport or activity.

The benefits of tobacco-free sport and recreation include:

Preventing youth from starting to use tobacco products

 Children and youth model their behaviour after the people they look up to – coaches, leaders, family and peers.

Protecting the environment

 Cigarette butts are a major source of litter in communities and on beaches. Cigarette butts take a long time to biodegrade depending on environmental factors such as temperature, rain, sunlight, etc.

Protecting children from second-hand smoke

 It is well accepted that there is no known safe level of exposure to second-hand smoke indoors. Recent research shows that under certain conditions, levels of tobacco-smoke outdoors (within one or two metres of a lit cigarette) can be as high as indoors, and that by-products of smoking (like second-hand smoke residue in fabrics and cushions) can also be harmful. Smoke-free by-laws provide community-wide protection for this vulnerable population.

Giving everyone a chance to perform at their best

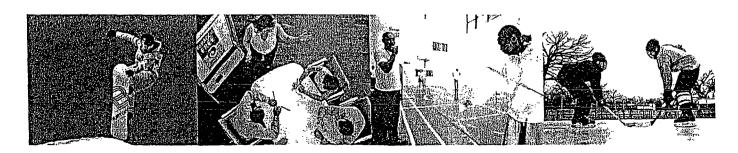
 Tobacco use contradicts the health benefits gained by participating in sport and recreational activities.

Creating a tobacco-free culture

 It is important for youth to receive the same tobacco-free messages at their local sport or recreation activities as they experience at school and in the wider community.

Helping smokers quit

 Smoke-free environments offer fewer opportunities to use tobacco and remove visual cues to help smokers stay quit. Smokers' Helpline provides personalized support and a community of quitters at your fingertips. Call 1-877-513-5333 or click www.smokershelpline.ca today for help.

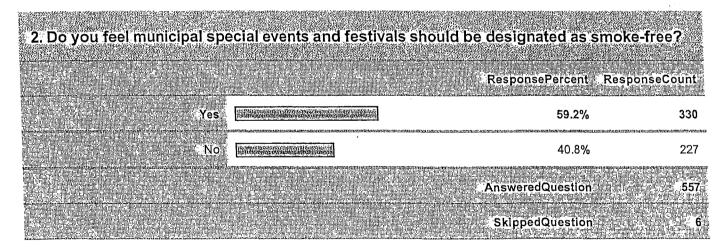


North Bay Smoke Free Community Survey



1. Do you feel the following municipally owned or operted recreation facilities should be designated as smoke free: Please check your response.

	Yes	No - R	atingCount
= Playgrounds	87.2% (489)	12.8% (72)	561
-Parks:	64.3% (359)	35.7% (199)	558
Sport Fields (e.g. ball, soccer,	76.1% (427)	23.9% (134)	561
Beaches	63.3% (353)	36.7% (205)	558
Tralls (e.g. Kate Pace Way)	60.4% (336)	39.6% (220)	556
		AnsweredQuestion	563
		SkippedQuestion	10



3. The City of North Bay passed a municipal bylaw to prohibit smoking within 9 metres of all municipally owned or operated buildings entrances. Do you feel the municipality should pass a bylaw prohibiting smoking within 9 metres of an entrance to all workplaces and businesses?

		ResponsePercent ResponseC	ount
Yes.		66.5%	373
No.	THE WORLD STREET, STRE	33.5%	188
		AnsweredQuestion	561
		SkippedQuestion	2

4: The City of North Bay is subject to the Smoke Free Ontario Act which prohibits smoking on all covered or partially covered patios, but does not address smoking on public and private uncovered patios. Do you feel the municipality should prohibit smoking on all public and private outdoor patios where food or drinks are sold?

	ResponsePercent Respo	nseCount
yes nonember of the second sec	57.2%	322
NO. NO.	42.8%	241
	- AnsweredQuestion	563
	. ISkippedQuestion	0

5. Do you feel the municipality should prohibit smoking within 9 metres of all patios where food or drinks are sold?

		ResponsePercent ResponseCo	ount
Yes		57.7%	323
No.		42.3%	237
	A Property of the Control of the Con	AnsweredQuestion	560
		SkippedQuestion	3

Schedule "E" (continued)

6. Further Cor	nments:			ResponseCount
	and the state of t	roku w 1450aca was 1 fe sadatuka lang lababbaa (neg sama)	AND THE PROPERTY OF THE PROPER	231
			= AnsweredQuestic	on 231
			SkippedQuestic	on: 332

Q6. Further Comments:	
1 The municipality should stop restricting the freedoms of smokers in the community. The Government should not be contolling where we can stand outside to have a smoke. That would be the same as smokers saying "okay we have to smoke outside if your not smoking stay inside." Whats next you cant stand up wind from any establishment while smoking as your smoke may travel to the door? LEAVE OUR FREEDOMS ALONE!	Oct 31, 2012 10:43 AM
2. Very difficult to enjoy all the city has to offer when there is so much smoke around! We are new here and find the per capita smokers is far more than anywhere we have lived! Also, this would mean going to the park with our kids won't mean having to leave when the smoking parents arrive!	Oct 30, 2012 7:18 AM
There is an other serious problem of breathing health in the city. The wood stoves people seem to like because "It's NATURAL" and we are living in the north, pollutes our air. Some days in winter, it is impossible to walk outside because of the wood smoke residue.	Oct 29, 2012 8:18 AM
4. Buisness in towns and cities. Put these patios for smokers. A place for them to sit and have a smoke. There not allowed to smoke inside. But prohibiting smoking on these patios yous are going to hurt buisnesses. As people just wont go. The not smoking in side resturants bars ect hurt the ownes sales. The patios did bring sales back. So why kill the owners buisness altogether as this is what it will do. No smokers and the health department got there way with no smoking in the buildings why take away all smokers right. I dont smoke but but I feel smokers have rights and they should have some place to go and have there smoke: "Guess North Bays not the fair city," thought it was:	Cot 3: 2012 4:54 PM
5 - If we could ban smoking in all but private residences that would be ideal il. We all cannot afford to keep paying for smoking related issues:	- Sep 25; 2012 10:25 AM
	Sep 18; 2012 5:48 AM
7 I wish I would never have to smell a cigarette again I would love my children to never have to even know what the horrid smell even is:	:::Sep:17i,2012.3:18.PM
8 A smoker is already so limited and has had so many rights taken away. They freeze outside in the winter because they can't smoke inside anymore. If the nor smokers don't like the smoke they can simply stay away from the areas that, people can smoke. I think it will hurt businesses by driving away a large number of the population that smokes. Give the smokers some rights too, however limited they may be:	
9 Let think that when people drink and go out to socialize smoking should be allowed. Example Pubs, bars, outside at the restaurant, night clubs. It should not be allowed at family events.	d::/ Sep 13, 2012 2:06 PM
10 Leave the business man alone! He or She has enough problems trying to run a business, withoutmore bylaws weigthing him or her down.	Sep 12, 2012 9:38 AM
11. The people of the municipality are probably a bunch of NON- SMOKERS; and maybe they need a few of their casual things taken away.	: [‡] Sep 12, 2012 8:50 AM

Q6. Further Comments:	
12 id rather have a few smokers than increased taxes and no smokers they're ************************************	Sep 12, 2012 8:31 AM.
I think the city should take into consideration that it was our Government that advertised smoking on tv, billboards, race cars, etc to entice people to smoke so they could make more money off the smokers in taxes. Now all of a sudden because so many people have quit smoking, all the ex smokers are trying to ban smoking so they don't have to fear that fact that they may start smoking again. Yes smoking is harmful, but smokers have rights too. The Government started the addiction, so the Government should give smokers a little respect due to the fact that the addiction of smoking is the hardest addiction to break. Non smokers can stay in the building if they don't want the smoke around them, so let the smokers go outside and enjoy the one thing that is legal. This is Canada people, not Russia.	Sep 11, 2012 10:36 PM
14 I understand prohibiting smoking at youth events, but to single out people that smoke at bars, restaurants or any other venue where people go to entertain themselves, is wrong. Everybody understands that smoking is bad, but being in a designated smoking area is fair, it keeps businesses clean inside, maybe what should be enforced is the manner in which you get rid of your cigarette butts.	Sep 11, 2012 9:31 PM =
15 I am a non-smoker. However, when the laws changed, the bars/pool halls, etc. had to build patios to accommodate the smokers. Now you want to tell them the money they put out for these patios are for naught. It doesn't seem fair to me. I'm sure they've already lost enough revenue.	Sep.11; 2012 5:29 PM
Just stop the relentless harassment of smokers, I am a none smoker and have never smoked in my life. You and all levels of government sell the product and get large amounts of money in the process. You have gone far enough. Now stop before you bankrupt more legit companies in our city.	Sep 11, 2012 4:04 PM
I think the community of North Bay should enforce first of all stopping the sales of illegal tobacco on the reserve. I was charged for possession of contraband cigarettes after purchasing them on the reserve. Cigarettes with "Canada Duty Paid" stamped on them. The Reserves need to be only selling their products to Status Natives, with a Status Card. I had no idea what I was doing was Illegal, but they had NO problem selling them to me, taking my money & not advising, me that what I was doing was illegal. It's amazing how our Government can get away with Advertising that they are killing Canadians with cigarettes & profitting from it! It's disgusting; as our Government is!	Sep 11, 2012 3:52 PM
Banning things never solves the core issue of the problems we face. It's all about personal decisions and too much government intervention just dumbs people down. I choose not to smoke near children. If I spark up on a patio, I make sure to do so where the wind will blow it away from anyone else and I distance myself from others who are not smokers. I do not exhale when there's a passer-by on the sidewalk and I hold my cigarette away. Hopefully I'll eventually quite all together but till then it just takes a bit of respect towards other people. Maybe a campaign on that?	Sep 11, 2012 3:17 PM
19. I am a non smoker, but that doesn't mean that smokers should not have their spaces to. Inside restaurants is great as a "designated" non smoking area. Smokers should have their spaces too.	# Sep 11, 2012 2:54 PM

20	l agree with the No Smoking rules for indoors, however, when it comes to outside, feel free to smoke or pass gas!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!	Sep 11, 2012 1:45 PM
21	Without painting everyone with the same brush, wherever you permit smoking you invite and get excessive littering with cigarette butts everywhere on the ground. With respect to public spacesour tax dollars pay to clean it up and we shouldn't have to. At a private restaurant, the owner of the restaurant is responsible for cleaning up the butts on their property. If it migrates to municipal property they should be made to clean it up. On a final notesmoking in general causes incredible financial strain on our health care system and on that basis alone, I sort of support a complete banning of smoking altogether.	Sep 11, 2012 12:49 PM
. 22	Hido not smokethis is a free canadalen	≥ Sep 11, 2012 12:31 PM-
23	I am not a smoker, but I feel when you are outside there is a lot of open air so the smoke should not bother you that much. Also, I feel that the Government allows the sale the cigarettes, so why are we penalizing the people that chose to smoke them. It is an addiction and I know a lot of people that smoke and do try to quit but have a really hard time. I feel that by allowing them to smoke outside on a patio (which smokers have accepted) is good enough. Why do we have to push them further away. By banning them, it will be like at the hospital where everyone goes to their car for a smoke. They do not walk to the end of the hospital grounds. The only complaint that I have is that I wish they would not but their cigarettes on the ground, it is a form of littering: I wish they would use ashtrays or cans.	Sep 11, 2012 12:19 PM:
24	I am an ex smoker, however, I feel the right for people to choose to visit a place where smoking may or may not be, should be left up to the individual. Freedom of Choicel. Where will it stop if this allowed to occur.	#Sep 11, 2012 12:09 PM
25	Smoking Its been around for hundreds of years. People want to smoke let them. Same as drinking or is that next on the table. Oh I get it make it a a bylaw and then the city can make morre money. Then the tourerest will drive be and and visit the next town Sudbury North Bay will then be a ghost town That's my 2 cents.	Sep 11, 2012 11:57 AM y
26	I am a non-smoker. All of my friends are non-smokers. Even I think the bylaws are becoming out of control. I agreed with the indoor ban, but any kind of outdoor ban is just going too far. Do a little research into prohibition in the 1920's to see where you are heading.	3 Sep 11; 2012 11:11 AM
27	If it is not illegal and is not a drug that can cause you too lose your inhibitions, then how can you tell people that they can not smoke anywhere? If you want to make smoking illegal then go ahead and ban it everywhereuntil then leave smokers a lone.	Sep 11, 2012 10:54 AN
28	Tam a non smoker.	Sep 11, 2012 10:51 Al
. 29	Second-hand smoke kills wherever it exists. Smoking should be prohibited-	Sep 11, 2012 10:46 A
30	l am a non smoker and I know I have rights but we all have rights. Nobody should be allowed to take those rights away, whether you are a smoker or non-	Sep 11, 2012 10:44 A

Q6. Fur	her Comments:			
31	It would seem you are trying to make it who smokes can smoke is in their own and I am a non smoker.			p 11, 2012 10:28 AM
32	It is completely unfair to people who do hand effect of those that do smoke. I h should move. Why should that be? Sho I walk and that anyone near me should effected in a negative way by those the demand that they smoke no where ne	ear comstantly that if I don buid I be allowed to spray move if they don't like it? at smoke, and I should hav	t like it. I pepper spray as My health is	ep 11, 2012 9:58 AM
. 33	I am a smoker and will not be DICTAT	ED tooSmokers have ri	ghts	ep 11, 2012 9:56 AM
34	Enough has been done already! Any need to be places for non-smokers to go, any more rights and the personal rights of the person	e and you are infringing o	n the business.	ep 11, 2012 9:31 AM
35	The bylaws are only as good when on station is full of cigarette butts on the cono smoking - even the bus drivers are further away buit most of people (drive bus and seats and there is sign sayin more like intentions are good but no exist sitting near a smoker and the wind them, this is uncomfortable for the no respiratory conditions sitting nearby.	ground, and there is clearly smoking by the busses. S ers and riders.) are standing g no smoking on property- nforcements. In public pla orings the air and smoke to n smokers, as well as peo	y a sign that says come do go g right by the It is just feeling aces, when one o others around ple with	ep 10, 2012 10:39 AM
36	If people who smoke showed respect a be issue. The health unit is fighting don't feel that is right. Of course the someone smoking near me; I have a	to take all rights away from at is just my opinionIf I'm.	n smokers and I:==	Sep 9, 2012 12:02 PM
- 37	Restaurant owners already paid a pri outdoor smoking patios: But divide th area. This would be fair to everyone			Sep 8, 2012 11:05 AM
38	smoking is a habit like drinking; eating given the right to smoke somewhere not smoke around someone eating, o	and to be politie about the	ir smoking - like	Sep 7, 2012 2:33 PM
39	Smoking should be prohibited where and possibly some smokers would fir enjoyment of their meals/drinks, espective of their food and drinks to be negative should be able to smoke. Unless smoke in an open subject to various particulate pollution vehicles and smoke from barbeques outside events, and beaches. All pet where their actions can impact the expression of the smoke from barbeques outside events.	nd that the smoke would in ecially as the smoke would ely impacted. In open spacking is completely made environment. When outsion from such sources as exand open fires, many of woole should be respectful	terfere with their icause the taste ices, people illegal, people ide, we are all inches from inch are at to other individuals	Sep 7, 2012 1:20 PM

Q6. Further Comments: swearing, playing loud music etc.	
40. Nova Scotia has already implemented this by-law! It is time we also get on board!!	Sep 7, 2012 1:13.PM
41 This whole subject just makes me sick. I am tired of the 2 face idjot that make up these lame excuses and laws. For heaven sakes don't smoke a cigarette, instead light up a joint. Better yet, let's make marajuana leagal, What idjots can't see that at least cigarettes do not make people crazy. At times I do wish all smokers would just quit cold turkey, put the cig. companies right out of business and the government loose millions in taxes. Then lets see what people would do.	Sep 7, 2012 12:45 PM.
42 Smoking and second hand smoke kills. Period. 9 meters is a false boundary that leads innocent victims to believe their interests are being considered.	Sep.7.; 2012 10:06 AM
1 am a new tenant and do not smoke and since moving in I have been naseous. (sic) daily 7 days now and have had a headache for the whole time. I can smell smoke constantly from tenants downstairs, Prior to renting landlord said I would not be able to smell it. What can he do re: smoking tenants or what are my options? I am in dire need of information. Sincerely, Kim Wagg 1229 Regina St. #2. North Bay 705-478-7019	Sep 7; 2012:1:34 AM
44 I think this will make our parks and beaches more enjoyable for all, and it is just a matter of time before this happens province wide.	Sep 6; 2012 12:41 PM
Most of the cities and towns south of North Bay have already implemented the non-smoking bi-laws in their parks, beaches, etc. and once these have been put into place there has not been much uproar or problems with the non-smoking issue. A lot of these cities have had this in place for years already and we find that in North Bay there is much to many people smoking in areas where it shouldn't be allowed. This is a real problem for people with health issues where the smell of smoke can cause further triggers. Plus, smoking is known to cause a lot of health problems and buy cutting back on smoking in some areas this may also help people cut back a little and maybe make them think about their future and health before its too late for them to do anything about it. Former smokers that learned the hard way. Thank you	Sep 6; 2012 12:37 PM
46. Non smokers wanted smokers outside, they got itnow enough is enough	Sep 6; 2012 11:42 AM
47. n/a. 48. The City of North Bay is known to have a lot of bylaws they don't enforce. Why do you bother taking the time to advocate and work on creating laws that ARE Not ENFORCED? Bragging rights I guess, Looks great in black and white on paper. The City have few enforcement people to enforce it, and the ones they do have are underpaid, and not qualified to do enforcement. Would you do it for a few buck above min. wage? We all want smoke free places but you need more qualified, good paying people to enforce it. People that are paid well enough to put up with the BS that goes with enforcing laws Good Luck with this, but the City won't hire qualified people to do it. This is just a lot of hype!!!!	Sep 5, 2012 10:25 PM Sep 5; 2012 9:16 PM Sep 5
49 If it becomes smoke free who will be responsible to implement? Example NB transit is smoke free but transit employers say it is the health unit. With programs	Sep 5, 2012 2:21 PM = s

Schedule L (Continued)	
Q6. Further Comments:	
being slashed disease control is more important than monitoring smoke free zones. As a result everyone still smokes all overmain transit terminal- client as well as workers. Until follow up is secure I feel it is a waste of time to address the issue if it should be smoke free or not	
Considering our climate, the municipality wants to ban smoking from patios that serve Food or drinks that are generally, weather permitted, used approximately 2 months out of 12 months for that purpose. The other 10 months they are only used by smokers. It is hard enough to make a living in this town without any more restrictions on our customers! The patio on the restaurants that are for this by-law are not as totally out in the open as other patios, so that may be why they get the odd complaint. Please do not consider passing a bylaw that will put more pressure on the small business owner like myself. Jo-Ann Rick Canadian Legends Eatery	Sep 5, 2012 12:59 PM
51 Enough government already! Apparently too much time on someone's hands! S We are still a free country from what I understand	Sep 5, 2012 12:50 PM
252 Patti Carr should quit smoking	Sep 5, 2012 12:27 PM
#53 :: It am not a smoker but I do feel that we have gone a little overboard in demonizing smokers. It is nice not to have smoking inside public places but think we can all tolerate a little dirty air now and then	Sep 5, 2012 12:24 PM
trails; parks, playgrounds; sports fields etc. are all there for people(especially children) to enjoy the fresh air and keep active, families should not have to be subjected to second hand smoke when they are trying to live a healthy lifestyle. Festivals are so crowded, there is nothing worse then trying to walk through the grounds with your children and having to dodge people carrying cigarettes.	Sep 5; 2012.12:18 PM
55 City of North Bay should also address the gas emission in the parking garage at Northgate Square People are not allowed to smoke in there yet the transits can iddle.	Sep 5; 2012 12:00 PM
56 Smoking is the leading cause of preventable deaths. When used as intended, it kills half of those using it prematurely. Legislation deters smoking, helps those who have quit or wish to quit, protects service workers and the public including children; and denormalizes smoking culturally so kids aren't as likely to start.	Sep 5, 2012 11:30 AM
57. I would also go so far as to see the government ban smoking in vehicles with children under the age of 18. It should also be noted that although there are smoking bans in place, they are not always enforced. There will need to be more resources and/or training available for this. I would also like to see officials. Work closely with school officials as it is not uncommon to see under aged students smoking in front of schools waiting for busses etc.	Sep 5, 2012 11:16 AM 4
My children play many outdoor sports through the summer months and I am astounded at the amount of people who smoke in the bleachers. On one occasion, I was parked in my vehicle and a woman was smoking away from the field except she threw her cigarette butt on the ground near my vehicle's back tire without putting it out. The smoke was coming into my vehicle and so I asked her politely to put it out with her foot.	Sep 5, 2012 11:12 AM

4 PM
26 AM
37 PM
06 PM
51 AM
:53 PM
:57 PM
6:31 PM
3:59 P

Q6. Fur	ther Comments:	
	STURGEON FALLS TIM HORTONS IS A PRIME EXAMPLE. BEFORE ENTERING, YOU HAVE TO PASS BY HALF A DOZEN OR SO SMOKERS BEFORE ENTERING THE BUILDING. THEY ARE RIGHT OUTSIDE THE DOOR. I WALK THROUGH A HAZE OF SMOKE, AND A BUTT COVERED ENTRANCE, BEFORE I CAN GET INSIDE: I SURE DO NOT FEEL LIKE EATING OR EVEN HAVING MY COFFEE AFTER THIS.	
69	I feel designated smoking places are fine, as long as they are well away from places where non smokers can be affected. If much more rules were put in place, I feel that smokers might legitimately not know where they could or could not smoke. Make some clearly designated areas:	Sep 2, 2012 9:13 AM:
70	I don't attend any major events hosted in North Bay because I'm sick of dodging cigarettes waved around and tossed by careless smokers. Ban it everywhere!!	Sep 1, 2012 8:34 PM
71	Anywhere where kids might be, should have a smoking ban. My husband and lare very sensitive to cigarette and other types of smoke(cigars, pipes etc.) and even passing by hear these things causes us distress and breathing difficulties. It find that there needs to be more enforcement of the already present smoking bans. Perhaps the smoking public needs a reminder of how far nine meters is.	Sep 1, 2012 1:56 PM
72	Nobody whould be subjected to the negative impacts of smoking on their health when they are just trying to enjoy public spaces. We do not CHOOSE to smoke and should therefore not be forced to endure it!	Sep 1, 2012 8:38 AM
73	Getting rid of smoking in public places is critical to the health of most of the population who prefers not to smoke either first hand or second hand smoke especially near children. Children can be found in all the locations mentioned in your survey.	Sep 1, 2012 7:56 AM
74	City of North Bay council is voted in to run our city not to intrude in our personal lives this motion goes to far we do not live in a communist country as yet try not to make it one	. Aug 31, 2012 6:46 PM
75	The real disappointment is that the 9 m bylaw doesn't stop people from smoking there & when you call to complain, it's unenforcible: Very dissappointing when this in front of a healthcare building.	Aug 31, 2012 5:55 PM
, 76.	Live and let live:: A little tolerance of others is called for here:	Aug 31; 2012 5:46 PM;
77	Everything should be done to help stop our youths from starting smoking and possibly even help those who need more reasons to quit.	Aug 31, 2012 4:46 PM
78	People are now accustomed to the fact that they must go outside to smoke and away from doorways. Why should they smoke at tables where people are eating. I certainly don't want to eat there if someone is blowing smoke into my food. We are paying enought to eat out as it is. If necessary they should have a smoking area at side or back of building away from the Patio where people can go and smoke if they must. Younger generation under fifteen have no problem with the no smoking as they have grown up with it so why shouldn't we continue to protect them for years to come. To those growing up now it only makes common sense and hoepfully fewer will start smoking in the first place.	Aug 31, 2012 4:12 PM

Q6. Fur	ther Comments:	
79	If this passes there should be better reinforcement because even with the9 meter rule there's still people smoking 2 feet from entrances	Aug 31, 2012 2:48 PM 🗊
80	On several occassions family members who come to watch-children's sporting events have had to leave due to inconsiderate people lighting up in the general area and causing medical distress. As well the poor children who suffer from second hand smoke at these events and require asthma medications just so they can participate in festivals/events/sports activities or worse have to leave to obtain medical attention. The cigarette butts at these family area is gross and when I must remove butts from beach sand so my kids can build butt free sand castles at the beach it becomes very annoying:	Aug 31, 2012 12:55 PM
81	it's time to give the smokers a brake you have them outside in 30 below it's time to back off	Aug 31, 2012 11:45 AM
82	Cigarettes are still legal. This is really starting to go a little to far to infringe on peoples freedom of choice. I am a non smoker my concern is what will you try to make law for next. Why not go after other big polluters that are actually causing more harm to the air and environment. I can not believe that my tax money is going towards this. Why not use it on something more worth while, like more education. I think it is now time to focus on something else. Smokers know it is bad for their health and so do non smokers if you don't like to be down wind from the smoke change were you are. And were do you get off taking away the choice of a business person, if they want to be bias to smokers they should set there own standers of if and were there customers can smoke. From a non smoker who is concerned about my other rights and freedom. Remember this is Canada not a dictator country.	Aug 31, 2012 11:42 AM
83	Non smokers are very annoyed by all the smoke.	Aug 31, 2012 11:34 AM
84	Iam an asthmatic and I have had to move from the place I was sitting or standing because of other people smoking around me. It makes the outing not enjoyable and unhealth for me as I have to end up using medicine to get relieve and able to breathe properly again.	Aug 31; 2012 10:40 AM
85	While I don't agree that smoking should be prohibited within 9 m of all workplaces and businesses (it really does leave almost no where except home for a smoker to smoke), there should be stricter punishment for littering and butt-dropping. All smokers should be respectful of their environment and people around them too – and the wind conditions of the area they smoke in. Part of the issue with littering seems to be the facilities available – and this goes for all litter. I'm amazed that a city the size of north bay does not provide more receptacles, especially along busy pedestrian and transit routes. I highlight the stretch of McKeown ave between No Frills and College Drive – every bus waiting area is littered with junk that people couldn't hold on to – and there just isn't a spot to dispose of garbage that is efficient. You can generate income by allowing advertising similar to city of toronto. Though it guess that's hard because the city can't even generate enough advertising interest to fill up the buses.	Aug 31, 2012 10:15 AM
86	you don't see cars been turned off at drive trues,you smell the exaust inside the building.	Aug 31, 2012 10:02 AM
87	Leave smokers alone	4 Aug 31, 2012 9:58 AM

Q6. Further Comments:	
Smoking areas need to be designated and enforced. I hate walking up to a building and having to walk through a haze of smoke and through the old butts and packaging. I also hate walking down the street trapped behind some smokers. Smokers can do what they want in the privacy of their own homes. I don't want to be subjected to their second hand smoke anywhere in public, or to their discarded butts and packaging their discarded butts are discar	Aug 31, 2012 9:55 AM
If my tax dollars pay for public and municipal areas, then I as a smoker should be allowed to smoke there. I am very mindful when I do smoke not to smoke around my children, in my car, pick up my cigarette butts, etc. I think it is totally unfair that the public health unit focuses all their attention on smokers. I have great difficulty with people drinking alcohol in public including patios due to past difficulties with alcohol myself. Should that not be allowed as well? What about air pollution from cars and industries. Why is that not being regulated and fined as strongly? It is time to focus your energies to other areas rather than on the smokers. If you would have treatment centres that deal with the addiction of smoking as an inpatient practice as for other additions, then maybe you have something to talk about.	Aug 31, 2012 9:51 AM
90. Second hand smoke is dangerous and cancerous. There is nothing more annoying than trying to enjoy our beautiful outdoors and being exposed to such toxic chemicals. A good example of this was at this year's concerts for the August long weekend. We were trying to enjoy the music and festivities however everyone around us were smoking and with the way the wind was blowing it was right in our direction. I think people should be allowed to enjoy the outdoors. Without the worry of what chemicals and toxins they are breathing in.	Aug 31; 2012 9:50 AM
91 I am a smoker and consider myself a considerate smoker. Banning smoking from something like Summer in The Park would take a few years to solidly establish and would create alot of anger. I don't believe it is the proper venue for smoking, but it is an outdoor public event. My concern is that the government continues to legally allow smoking because of the tax revenue, but at the same time spends money on laws, bylaws, enforcement, signage, etc. (oh! And surveys too:)) Is one paying for the other?	Aug 31, 2012 9:48 AM
92. All think these are all great suggestions and I would love to see them in place, however, unfortunately the fact remains that there is little to no enforcement of the existing smoking bylaws and until that happens it seems kind of pointless:	Aug 31, 2012 9:10 AM
93 Cold beer and a smoke go hand in hand. But, as a smoker I agree with no smoking at parks and sports fields:	: Aug 31, 2012 9:03 AM:
94 Smoking is a legal right. Baning a legal right is unconstitutional.	Aug 31, 2012 9:02 AM
95 It is ridiculous. You want North Bay to lose residents. Half of North Bay residents smoke. It is a free country, if you want to smoke, just don't leave your butts laying around	Aug 31, 2012 9:01 AM
96 : I took my kids to the Summer in the Park concert as they like Marianas Trench. One has asthma and found it difficult to breathe as someone nearby was breathing. The security guard and a police officer said there was absolutely nothing that could be done. I was shocked. Kids and others with breathing difficulties should be able to breathe comfortably at events that take place on city.	Aug 31, 2012 8:46 AM

Q6. Furt	her Comments:	
	property like Music In the Park. I hope next year smoking is banned at this event, our kids' lungs shouldn't have to support the habit of a few.	
97	Thanks for asking for our input! Great way to get some citizen involvement.	Aug 31, 2012 8:45 AM
98	As a member of this community, and someone who uses the public playgrounds and beaches with my family, I am so frustrated with having to leave these places due to the amount of smokers and cigarette butts on the ground. I cannot have my child running around and crawling through these toxins. I realize that we have if pretty good in Canada, and some would say a few cigarette butts in a publicly funded playground or beach is a luxury compared to the conditions some kids have in other places. However, I contribute to paying for these places with my taxes that are WAY TOO HIGH in this city, so I think I can say that the conditions of these public places that I pay for is deplorable:	Aug 31, 2012 8:43 AM
99	For each new area designated some-free the municiplaity must provide properly equipped areas for people to smoke, i.e. ash trays, covered areas. The smoking designated areas must be encouraging and still respectful, these are citizens too:	Aug 31, 2012 8:39 AM
100	I think this would be a great initiative to increase the areas that are smoke free. As I do not want to inhale smoke and have potential harmful health effects imposed on me, and I believe it is my right to live smoke free, I would appreciate additional areas, such as beaches and parks, and entrances to public buildings such as stores and restaurants, to be smoke free as well. I take as many measures as I can to lead a healthy life, and believe that as a member of this community I have the right to enjoy the wonderful public spaces North Bay has to offer smoke free. I am new to the North Bay community and am amazed by the wonderful parks and beaches the city has, however am always put off and astonished by the amount of cigarette butts that can be found. I hope that this is a successful venture and look forward to watching its progress.	Aug 31, 2012 8:35 AM
101	Having people smoke around you is a fast way to ruin a great experience or downtime. Whether it's lying on the beach and having smoke blow in your face, or enjoying a meal on a patio restaurant. If people are outdoors it is not to have the fresh air filled with filth; or having their appetite ruined. This is 2012, we know the health consequences of smoking. Those who choose not to smoke, should not have to reap the affects of others' habits, nor should they be expected to leave a public area to ensure their own health or enjoyment. If you are choosing to smoke, you should be held responsible for removing yourself from public, especially family settings:	Aug 31; 2012 8:11 AM.
102	If North Bay passes this by-law then all restaurants etc will lose my business as: well as that of my friends and familythis is a FREE country and this city is: starting to be run like a dictatorship by the health unit.	Aug 31, 2012 8:04 AM
103	Smoking is bad for your health. While I respect a persons' right to smoke, they should not subject others to the second hand smoke.	Aug 31, 2012 8:01 AM
104	I am fired of municipalities and government using there comminent approaches to forcing people to do what they want: there is enough smoke banning try do the freakn job you were voted in to do instead of banning everything and raising the taxed everytime someone farts, try taking care of the someone farts.	Aug 31, 2012 7:21 AM

time on your hands	nuch 3 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 /
This is a good way too kill lots of businesses in North bay. Mainly restaura and bars who 13 or so years ago felt the affect of not smokeling inside to new low blood alcohol law. This would just hurt them to the point of closur takes our freedom away and ability for choice. Out doors is out doors! and don't smoke!!	now a::: re. This::::
106 Give us a break. The monkey on our back is enof	Aug 30, 2012 8:52 PM
Nothing is good about smoking and for those that are truly addicted to this habit, the community and city as a whole need to do it's part in helping brown habit. Also I work at city building and we have smokers at the back door of station (I mean with in 2 feet) lighting up all day long. We inhale second I smoke everytime we need to come or leave. Would love to see the laws we strictly enforced !!	eak the of the hand
108. I believe that smokers will still frequent restaurants and public spaces even smoking is not allowed. They will retreat to their vehicles to smoke, saving rest of us from their smell and their trash. Prohibiting smoking in all areas children play beaches, parks and playgrounds is especially important. Cigarette butts all over the ground in these public areas of North Bay are unsightly and dangerous to children.	ng the second se
109 - This is passed-due. Please go smoke free!	Aug 30, 2012 6:41 Pl
These questions seem to be worded so that there is no room for discuss. With regard to 'smoking' on patios where food or drinks are sold, that sho up to the individual owner, should he or she decide that they wish to go a smoke free. Same with prohibiting smoking within 9 metres of an entran workplaces and business the choice should be that of the individual of Special events and festivals usually include families and therefore walking around with a cigarette in hand is not a good idea, but having a designat 'smoking area' for those who wish to smoke would be good: Where do we the line telling people what they can and cannot do? To smoke is the chan individual and should it be 'prohibited' everywhere, there will be those do what they can to 'break the law.' As well, who is going to 'police' all of places where smoking may be banned. How many 'by-law' officers doe have? Is one 'by-law' officer going to feel comfortable wading into a lar of people smoking in a public area, or will the police be required to assis 'by-law' officer? Many folks have strong feelings re smoking and personal testing the time to address. Believe it or not, most people that smoke re it is bad for their health and that second hand smoke is bad as well, but smoking in public places is not the way to go: We don't have the answer don't think that anyone does, but we feel that smokers have just as many don't think that anyone does, but we feel that smokers have just as many	ould be entirely nce to owner. ng ided we draw hoice of e who will of these es this city rge group ist said conally we should be ealize that it banning ier, we

Q6. Further Comments:	
hospital, my family & I feel that there should be a designated area for people to smoke (not out on the highway). How difficult would it be for a patient who has smoked for many years to have to march out to the area around the highway to have a smoke. Let's be fairespecially to some of the older people. This is like everything else in the world fodaysome ideas for change were good & some went from one extreme to the other. Give it a break!	
From a person with allergiesI sit here in my own home as my neighbours sit. A outside and smoke and I have to get up and close my own windows on a very, hot day as my allergies can't take it. In my opinion smoking should be banned everywhere!!I Why let everyone else around them suffer!! And especially in places where families, children and athletes are: It's just common sense as far as I am concerned! Enough is enough already! It is a serious health hazzard to everyone! What does it take to get this through to people!	ug 30, 2012 6:05 PM.
113 What if a bylaw were introduced, yet modified, in a way at food/drink locations in which smoking was prohibited prior to "bar hours" like, prior to 8pm? As a smoker, and a frequent bar-goer, I have to admit that I would most definitely not go out as much if I weren't allowed to sit on the patic and enjoy a cigarette while having a drink. Bars are meant for a little debauchery and some smoke in the air. I'd hate to lose that little taste of anarchy for a no-tolerance policy. If this passes, before long you'll have to go beyond city limits to have a cigarette.	Aug 30, 2012 6:00 PM
114 Smoking should be banned in public and private buildings, business and any commercial centre. Smoking causes cancer not only to smokers themselves, but to others (second-hand) Treatment of diseases cause by smoking causes millions of dollars. The fund that could be used in education, or other beneficial services or programs. I will be very happy if the proposed By-law is successful.	Aug 30; 2012 5:58 PM
415 As a non-smoker, I feel it is my right not to have to be subjected to any second hand smoke. I should not have to take a detour to get into stores and facilities to avoid smoke.	Aug 30, 2012 4:22 PM =
116 get ready to lose money if these laws are passed. Who will foot the bill of course the taxpayers. It's your federal govt who should show examples and not to let cigarettes be sold. Of course they won't they make good money with taxes:	Aug 30, 2012 1:47 PM.
117 There has to be a limit where the government should back off and let business owners and fully grown adults make up their own minds about some things at least. If anti-smoking sentiment is that high, go through the prope channels and make tobacco illegal, period. Other than that, if it's legal, there has to be some latitude given to the people.	Aug 30, 2012 1:37 PM
118 inhaling smoke while eating, running or enjoying the outdoors is disgusting, it don't appreciate not being to enjoy the patio in summer because smokers take it over, go to your own backyard to smoke, let people decide for themselves if they want to inhale toxic fumes, don't force it upon them	Aug 30, 2012 12:52 PM
119 2012 - it is time that non-smokers are not subjected to the health hazzards of second hand smoke when watching kids in parks, beaches, playgrounds and sports fields.	Aug 30, 2012 12:33 PM
120 If this smoking ban is approved, the city and the health unit will have to find a	Aug 30, 2012 12:28 PM

Q6. Further Comments:	
non-smoker to replace me, as my 20 years of volunteering in this city will come to a end, also the city and the health unit can pay my taxes of \$5600, each year as I will not be allowed to go anywhere in this city, why should I pay taxes If I am banned from public places, and also have you forgotten about the veterans that fought for this country and not allowed to have a smoke outside the legion, how soon we forget. I have my rights also	
121. Sport fields should be smoke free only when the players are 15 years old and younger.	Aug 30, 2012 12:26 PM
122 Tam really at my wits end with all these anti-smoking laws. I don't think it's possible to ever satisty anyone. We gave them "clean air" in every possible public place and workplace imaginable, we've trampled the rights and freedoms of smokers and private business owners, we've hidden all tobacco to "protect the children", we've increased tobacco taxes to absurd levels. Now they are demanding that smokers be BANNED from smoking outside?!!! Telling us how great it would be to hand out tickets for smoking, the same gov that doesn't enforce environmental rules on industry, they poison us with pollution. While these people are at it, perhaps they can also ban the cars that are driving down the streets. After all they are emitting toxins. Please show me the research that has been published anywhere that says second hand smoke outside is any more harmful than car exhaust NOW HOW ABOUT putting all that effort into doing something more worthwhile. LIKE stopping these big industries from polluting. Now that would be a more worthy cause, and far more pollution comes from these companies than the folks that are standing out on the sidewalk having a cigarette. Plus will we need to hire more staff to enforce??? Maybe should sell my house and move to a city that doesn't spend all of the money I pay to own a home here on such ridiculousness, you say you want to keep good employees up north, I could easily be making more money for my position elsewhere!! I can see the point of no smoking in parks/playgrounds and sports fields BUT DO NOT agree with the ban for everywhere public!!! People can make informed decisions of where and what patios and bars they would like to go to. In the perfect situation, smoking policy would be set by bar or restaurant owners, and customers would patronize the establishments with the policy they prefer. Customers would decide-without the government's help-if they want to avoid smoking on OPEN patios or not.	Aug 30, 2012 12:16 PM
123. I think they should ban smoking period. It is proven to cause many diseases and even DEATH. Smoking should be outlawed the same way may illegal drugs are. People should also be given the power to arrest or assist in an arrest of anyone breaking this law. I constantly see people who smoke standing right beside the signs prohibiting this act and nothing is done about it. Our police seem to ignore many of these laws as they see fit and that is a great tragety as they are in power to uphold these laws and do not.	Aug 30, 2012 12:08 PM
124 If am a non-smoker and my husband is a smoker. This means we will never go out to eat, shop, attend Summer in the Park, play sports, etc. again, Really? For the most part, smokers are respectful to others that are non-smokers. If you are outside and it bothers you so much, stay home. We are having a hard menough time getting people to our festivals and restaurants in the city - now we want only non-smokers to show up. Good luck with that!	Aug 30; 2012 11:58 AM.
125 Please add to this ban smoking within townhouse and apartment building	Aug 30, 2012 11:33 AM

perimeters. Smoke gets in even more through an open window than a door. which is closed part of the time.	
Any suggested loss in business overall will be more than offset by clients that don't smoke, new people that move here because it's smoke free and the immense improvement in future generations who learn by example to avoid this and other addictive health hazards. Best wishes, the sooner the better.	Aug 30, 2012 11:26 AM
127 City of North Bay has enough financial obligations to consider - adding another layer of bureaucracy & expense to City budget is UNACCEPTABLE at this time. [Non-Smoker]	Aug 30, 2012 10:19 AM
I understand the reasonning behind this and support. I was a smoker for 20+ years and I no longer want to be near it or come out smelling like smoke. My opinion though is how are you going to enforce this by-law when you can barely enforce any other by-law within the city. You must be able to enforce ALL legislation that you put forward. In addition, you will also have to consult with your stakeholders; specifically the courts. Can you handle the capacity??	Aug 30, 2012 9:53 AM
129. There's nothing worse than trying to enjoy a meal on a restaurant patic and having disgusting smoke surrounding you. I'm trying to enjoy a meal, why should have to be subjected to your disgusting unhealthy second hand smoke?	Aug 30, 2012 9:15 AM d
There is nothing worse than walking into any work place and having to walk through a cloud of smoke to get there: It looks very unprofessional: Also when go out to a restaurant and sit on the patio I do not want to smell the smoke fo the table next to me or even a few over. Children also should not be exposed to smoke of parents or others in a park or playground. We need to do our part now as adults to make smokling inaccessible in public in order to deter our children' generation from wanting to smoke.	ne managan na managan n M
131 #1 and #2 conly because the butts are everywhere.	
It's becoming more and more rediculous. It's a bit much don't you think. If the smoker is outside then he or she should have the right to smoke. When I see someone around me that smoke outside and I am near, I remove myself. Plai and simple. Come on now. I have a question for you. I agree that smoking is not good for anyone (second hand smoke and all). However, we don't see as much restrictions on people that drink of do drugs now do we. Making spectac of themself. Is it harmful to others around. You bet it is. Yet, it seems that nothing is being done. We still have commercials on T.V. about alcohol. True we don't see them drinking it but it sure is inviting isn't it. You still have drunk drivers killing innocent people, because they feel they're o.k. to drive. It's not good for anyone's health now is it. Does it cause second hand illness? Paralysis or DEATH. Now how do we stop that?	
133 Nobody should have the right to smoke in public places. This other night and disrespectful to bring more people to not show up at some places because of	
134 1. As a softball player, I choose to not smoke during games. That is my choic However, I know a lot of players that do smoke during games. As long as the cigarette is not on the field or in the dugout, I don't see a problem. Playgrour and parks, I can see a smoking ban because there is children there. Beaches	ids:

Q6. Further Comments:

135

136

The laws are fine as is!

would benefit from a smoking area. Trails, like the Kate Pace Way, should be smoke free because they are promoting healthy activities. Plus, trying to have a smoke while on a bike is ridiculous anyways. 2. Community events should have butt cans around so that the lit butts do not lie on the ground for someone to burn themselves on. (Children should be wearing shoes at these events anyways.) 3. I agree with keeping smokers 9 meters away from entrances, but only public ones. I have a back door at work that I smoke right outside of However, this bylaw should not apply to someone who is walking down the street. Yes, they would be less than 9 meters from the public entrance to a business, but they are simply passing by. If this exception isn't made, there will be a lot of smokers walking down the center line of Main St, even if they're just doing it to prove a point. 4. & 5. I think that we should take a note from our pre-Smoke Free Ontario Act days and impose a smoking and non-smoking section on patios where food or drinks are served. When the Smoke Free Ontario Act was created, a lot of local bars and restaurants had to do some renovations to create a patio so their patrons could have somewhere to smoke (A lot of these places now have fenced patios so they could be licensed). Most of the patrons of these businesses know that if they are going to go out on the patio to enjoy their meal or their drink, chances are someone is going to be smoking. Most of the time, when someone is smoking, others don't even notice if they're on a patio. The smoke and smell dissipates so quickly. All in all, I consider myself neutral because I agree with parts of the proposed ban and disagree with other parts. I sincerely hope that the counsel of North Bay takes into consideration all of the opinions people express and not just the ones they want to hear. (I don't blame them, it's human nature to only hear what you want sometimes) I think this is a great move for the city, banning smoking is one on the best things Aug 30, 2012 7:52 AM we can do because of the very large health risks not only to the smoker, but everyone around them. Not only do I find cigarette smoke repulsive, I am allergic to it. I can't enter stores Aug 30, 2012 7:50 AM without having to walk though it and inhale it. Then my hair and clothes smell like it until I get home and wash it all. They should have the right to choose to impair their health, but they should NOT have the right to impair mine! You are infringing on the rights of people who choose to smoke. If people do not Aug 30, 2012 7:48 AM want to inhale second hand smoke they can go inside where the air is clean. We smokers were banished to the outside because people were bothered and patios were originally put in place for us. Enough is enough already Thank you for taking on this intiative! I work in tobacco cessation and strongly: Aug 30, 2012 7:46 AM believe that the only way we can reduce smoking prevelance is by - increasing cessation supports to individuals - stopping the flood of contraband tobacco in our community - strengthing tobacco bans in our public areas. Smoking bans do work to reduce smoking rates, and support the overall movement to denormalize tobacco use. I really hope this survey will give the usually silent majority (those who would support smoking bans) a voice. The City if North Bay is doing the right thing to implement these changes. On another note, could I suggest that any policy adopted include wording that addresses ALL forms of tobacco (snus, chew, or any other product out now or in the future) as well as e cigarettes. Regards, Shari Cole.

Aug 30, 2012 7:30 AM

Q6.	Further	Comm	ents:	•

140	I do wish to see the city improve and become a healthier community and believe that we can improve on the enforcement of the 9 meter from entrances. I ** believe that we should also try to find/present information on the cost of cleaning up after smoker's, litering, and damage done with tar stains from cigarette butts.	Aug 30, 2012 7:27 AM
141	The Feds are too weak-kneed to make a deadly product prohibited. It KILLS 50,000 Canadians a year in smoke related illnesses. BS with those saying it's a legal product or its my choice. Too many challenged people making stupid if dangerous decisions. Thanks.	Aug 30, 2012.7:22 AM
142	Even on private porperty, smokers should not prevent neighbors to enjoy their own outdoor patio due to smell and smoke	Aug 30, 2012 7:01 AM
143	leave it as is nowhavn't we heard enough from the Health Unit about smokersthis should be an individual's choiceafter allmost smokers are adults now days so just leave it alone and move onto the obseity issues or something else to complain about	Aug 30, 2012 6:53 AM
144	We should not condemn smokers anymoreI think the laws are strict enough: Most smokers try not to smoke around others who don't smoke when out in publicPerhaps we should start doing the same for alcohol consumption. It also causes a lot of health damage to the person who drinks and often the person's family and friends suffer emotional and/or physical abuse.	. Aug 30, 2012 6:53 AM
145	right to smokepay for your own health costs related to smokingcough fremedies, oxygen bottle requirementsscooters for when the lungs give outpay pay pay	. Aug 30, 2012 6:27 AM
146	Just leave the smokers alone. There is worse things going on then smoking outside. The people that are discontent on the smoker are most likely puffing something else. I agree indoors in a restaurant, I respect the people that are eating but outside is a joke.	Aug 30, 2012 6:05 AM
147	This is ridiculous. Smoking isn't good, by any standard, but its a choice. A choice an individual is allowed to make. Its a selfish habit, but trying to push smokers into solitude won't help them quit. It'll just make a lot of irritable people upset with an already failing government. I agree with no smoking in playgrounds. Smoking around children is just wrong. But on the beaches and parks? Good luck enforcing that. Lets go ahead and waste more money on something not important, shall we? So glad I left North Bay. What a joke this is turning into.	h
148	I mention this thread within The Nugget's main Facebook page in relation to the newspaper article on this subjects; as follows: "Guess North Bay will be the poster boy for totalitarianism. Well, I've found the most rude and obnoxious people to be non-smokers. Some are kind and respectful people. Some smoke are also rude and dirty, don't pick up after themselves or are unconscious of people walking by: For me, I see this argument as nothing more than stupid thetorical garbage. Nothing more than another way to control the masses to the way a few people want it to be, and great money in fines from those who mean to disobey. Fuck that, I mean to disobey." This step towards forcing people to the paradigm of a few elect people is not going to go the way they want. Canacis not a third world country, and we are not ignorant of the steps the governme is taking towards totalitarianism. In trying to force people to think, act, speak, upon the steps the government.	rs to the second of the second

Q6. Fur	her Comments:	
	their body, marry, date or even protest the larger part of Canada is getting truly pissed off. Fucking idiots:	
149	Re question 3: I would like to see smoking prohibited within nine metres of the MAIN entrance(s) used at businesses and workplaces. I don't think smoking needs to be banned within nine metres of side/back doors.	Aug 30, 2012 12:07 AM.
150	These restrictions are great, however, as the existing bylaw is rarely enforced it won't do much to improve the air for those of us non-smokers. More enforcement must accompany the changes to the bylaw. The worst of these locations is the various entrances to the Northgate Square, namely Wal-Mart and Parking Garage entrances: Sure the signs are there, but nearly every time! go to the mall! am greeted with a puff of smoke in my face. As the father to a newborn, this is especially concerning. The fines would more than pay for several enforcement officers salaries.	Aug 29, 2012 9:18 PM
151	I think smoking should be allowed on Private Property and the city shouldn't limit smokers from frequenting them. I think the city should better enforce the 9 meter-rule and other more important bylaws instead of making more bylaws that end upbeing ignored:	Aug 29, 2012 9:06 PM
152	I moved from Ottawa 2.5 yrs ago (which has a smoking ban in place) and was/am discusted by the smoking in this city. We have to hold our breath going in/out of businesses or even at times while walking on the street. It is aweful. The uproar in Ottawa at first was overwhelming, but eventually it calmed down. I love returning to Ottawa to visit and not have to SMELL that aweful smell and not have to hold my breath or tell my children to do the same. Please do the right thing for the Health of all North Bay residents and visitors!!!	Aug 29, 2012 8:41 PM
153	Enforce the By-Laws you have now, we do not need new ones that you will not enforce!	Aug 29; 2012 8:32 PM
154	I am a none smoker but feel this is going to far. Outside should not be just for some: The businesses and sporting areas have already designated appropriate areas and both smoking and non-smoking public have adjusted: As mentioned in the Nugget column, we will allenate the tourists just when we need them most.	Aug 29, 2012 7:31 PM
155	Enough already!! People will smoke, even if you try to prohibit them from doing so. If they aren't smoking on patios then they will spill out onto the sidewalks/streets, which is a safety issue. People are randomly getting attacked in the downtown core, 4 men have gone missing in the past 5 yrs, and this is what the city wants to spend their valuable time on! There is a bigger issue at hand here! Please get a life and focus on things that really matter like public safety.	Aug 29, 2012 7;28 PM
156	There are too many businesses where you cannot get 9 metres away to smoke unless you stand in the middle of the street. Private businesses should have the right to decide if they want to prohibit smoking on their property. For public venues, there should be a designated area for non-smokers and for smokers. Half of the laws regarding smoking in vehicles, just like cell phones and texting are not policed properly as it is. I feel like my neighbours would be able to compain that I am sitting on my deck smoking. If the right to smoke is removed from all parks etc, then parents who do smoke will never take their children out	Aug 29, 2012 7:20 PM

Q6. Further Comments:	
for any activities because they will have to stay home. We know that smoking is bad, but it is an addiction and they (Council) have to remember that as well. We don't take alcohol away because there are alcoholics, we provide safe areas for intravenous drug users, but we won't allow areas for smokers??	
At it again, are we? Enough already. Smokers are not doing anything illegal because if they were, smoking would be illegal and it is not. Leave them alone for goodness sake. Second-hand smoke can only affect non-smokers if they are near them. It's not a smoker's fault if a non-smoker chooses to come near them It's the non-smoker's fault. What's next? Any and all public places? And then what's next? People's homes? As smoking is repulsive to some, the following issues are repulsive to others. Why not concentrate on swearing, purple hair tattoos, and spitting?	Aug 29, 2012 7:00 PM
The Health Unit needs to get off it's high horse. They should be working on something more pressing, like how to reduce the amount of drug users in the city. People are afraid to walk outside at night now, for fear of getting jumped by a crackhead. Although I suppose it'll give the police something to do rather than actually WORK to catch the real criminals in the city. They can just use this cash cow to meet guota, and not need to worry about the numerous random physical assaults by thugs. Just remember in or every person that went to the hospital after and filed a report, many didn't because of the hassle. MUCH more happens in this city than the news seems to let on, if see it outside every day. North Bay is a city I advise people to stay away from, and not to move to. I'm working and saving every penny I can to get away from this hell hole, so my children can have a place where they won't need to see drunks and oxyheads stumbling around:	Aug 29, 2012 5:31 PM
159 I think there are already enough rules about where people can smokel I agree with banning it at sporting events and of course, playgrounds but please leave the outdoor patios alone! Better yet, make them SMOKING so that non smokers wont be bothered by the issue.	Aug 29, 2012 5:24 PM
1160. I applaud the efforts of the Health Unit in protecting the well-being of the second community. Thank you!	Aug 29, 2012 4:40 PM
161 While smoking is still legal, I don't believe such "by-laws" should be imposed. The municipality would not mis-treat any other minority in this fashion. If the government believes smoking is that bad for one's health, why don't they have the courage to abide by their convictions and just ban them. Oh yeah, they make too much money off them in taxes	Aug 29, 2012 3:28 PM
. 162≟. Enough already	# Aug 29, 2012 3:27 PM
163 I feel badly about encroaching on smokers rights to relieve their addictions in public but twice recently I was eating on a patio in a restaurant when someone line a cigarette. Aside from the proven health risk which they ignore and feel comfortable subjecting me to, it detracted from the dinner experience I paid for	Aug 29, 2012 2:59 PM.
164: Me and my family should not have to deal with second hand smoke in any public place, period.	C Aug 29, 2012 2:53 PM
165 The city should also designate all rental properties and rental property common	Äug 29, 2012 2:46 PM 3

Q6. Further Comments:

	areas non-smoking. All school buildings and bus stops should also be designated non smoking.	
166	The Government is going way to far with this SMOKINGwhere are the rights of smokers? we had all our rights taken away by non smokers who cry about second hand smokeW had to obey the smoking laws years ago with smoking outside on patios and outside the bars so the non smokers could breath better. Now they want us to smoke 30 miles away from all doors. You know thats crap. If they don; tlike the smoking outside on patios and bars eat insideor guit the Bitching!! GO SMOKERS I GO!	Aug 29, 2012 2:00 PM
167	If the city continuously removes the rights and freedoms of the people of the city, then sooner or later a protest will occur. I'm all for banning smoking to places like parks and playground where there are children, who really shouldn't be exposed to it in the first place, but to take it away from places like patio's or restaurants is complete ridiculous. Where are the smokers supposed to go? If it's really that much of an issue, get a divided patio where half is smoking the other half non smoking, and give people the choice. We live in a democracy, and to take away the rights of a specific group of people is nothing better than living in a communist country.	Aug 29, 2012 1:40 PM
168	I think people in the city need to compromise if you are a smoker try and stand away from non smokers or children that may be around non smokers need to avoid standing directly beside a smoker if they don't like the smell or are allergic to it. Its kind of like the classic arguement of the tollet seat some men went it left up women want it put down we need a happy-compromise to completely ban smoking in our city aside from outside our residential homes is impending on our rights as a human and citizen if your a non smoker don't complain about a person cigarette if you chose to stand next to them its all about common self and compromise.	Aug 29, 2012 1:09 PM
169	While I am in favour of restricting smoking in public areas, I do not think the City should impose additional rules on private properties:	Aug 29, 2012 10:16 AM
170	Recently we were in a restaurant on Manitoulin Island and customers were smoking inside the premises at their table. I thought smoking in restaurants was banned??	- Aug 29, 2012 10:14 AM
171	l am a non smoker but I think you are taking away smokers right to smoke outside.	Aug 29, 2012 10:06 AM
172	Smokers often complain that they have rights. Non-smokers should have rights too. I cannot afford puffers or taking time off work because of asthma attacks. Induced from second-hand smoke. I routinely avoid shopping in places that have smokers outside. I also avoid festivals and events where there is nowhere to escape from the second-hand smoke.	Aug 29, 2012 10:02 AM
173	Private businesses should have a choice: As for parks, sports fields - maybe a designated area that isn't right at the edge of the sports field. Playgrounds yes because there are children on the equipment (but again, maybe a designated area away from the equipment). Open air is fine - it is the fumes from cars idling near by that is worse.	Aug 29, 2012 9:01 AM

O6 Fur	Schedule "E" (continued) ther Comments:	
174		Aug 29, 2012 8:26 AM
175	If the major problem is the cigerette butts being left behind, I think instead of banning smoking everywhere, they should pass out more fines to smokers seen throwing their butts on the ground. (This happened to a friend of mine in Barrie, and I have seriously thought twice about throwing a butt on the ground ever sinse.)	Aug 29, 2012 8:24 AM
176	When the hell did the swastika or the neo-nazi ss lightning bolts make their way on to the City of North Bay logo? Keep your noses out of private businesses. They're already by-lawed, and governed beyond reproach. Focus on our infrastructure and what the City needs, not where it's citizens eat and smoke, it's a choiceleave it up to the individuals. They can choose to NOT go on the patio, or the owner of the establishment can choose to have it smoke free.	Aug 29, 2012 8:24 AM
177	I feel very strongly about prohibiting smoking in public areas, I am a non-smoker and I am pregnant. I do not wish to be exposed to smoke or have my children/husband exposed either. Most smokers do not have the courtesy to step aside to smoke, so it must be enforced in order to keep everyone less exposed to second-hand smoke. Thank you for looking out for the health of others who wish not to be exposed to smoke.	: Aug 29, 2012 8:09 AM
178	I think its a great idea, prohibit smoking! I dont smoke and dont enjoy breathing in others smoke. I find myself not going to outdoor events due to the people asmoking.	Aug 29, 2012 8:06 AM
179	I think that North Bay has enough rules and bylaws in force, I am not a smoker, however people are limited in everything they do: How about letting the people enjoy whatever they want. Life is too short to worry about every little rule. If someone is smoking and you don't want to be around it, then move to another spot. If someone feels sick around the smell of some foods, do they ban eating them from places? How about putting rotten teeth and pimple covered faces on all the chocolate bar wrappers. There are quite a few over weight people around you know. Lets just say you can only serve healthy foods and water in public places because someone on a diet or who has an allergy may be close by? What's next? It seems I see cars driving up and down back streets and sitting in Tim Horton's parking lots quite often. I think they say Bylaw Enforcement on them. I have yet to see them stop and enforce anything. Maybe North Bay just needs more laws so they (We) can pay for a few more of these people to drive around the city. How about a little freedom guys?	Aug 29, 2012 7:56 AN
180	ALthough I am not a smoker, I still feel like the smokers need some freedom, hence the "NO" response to Parks and Trails. Some places that are open and adults are around, I think that's ok. But where it's mainly children, that is where the line should stop. Children don't have the option to just get up a leave, an adult does:	Aug 29, 2012 7:55 A

Q6. Further Comments:	
181 As an ex smoker of 10 years I hate the smell of smoke. It actually hurts a sometimes to get a big wiff of it. Banning smoking in trails would help a lot with fires as well.	Aug 29, 2012 7:39 AM
This is a tough oneI quit smoking last July (13 months ago)after smoking for almost 40 years. Your survey is to narrow for answering. Things can't always be yes or noquite often there is a grey area. I don't have a problem if there were designated smoking areas at festivals. You don't give that as an option. As for quest # 4do you have the legal right to prohibit smoking on 'private' patios? As much as I am enjoying being a non-smoker. I do remember how frustrating it was trying to find a place where I could smokepeople do have rights Just my 2 cents Regards Dave McPhall	Aug 29, 2012 7:19 AM
I do smoke and the last time I checked we live in a democratic society. Inside public places and school playgrounds I agree no smoking, but as a smoker also have rights and beaches trails festivals outdoor events if I want to light up I should be able to. Private patios its up to the owner. I think the municipality should concentrate on more prominent issues like crime, there has been such an increase assaults and break ins that's what should be addressed. One last comment if everyone quit smoking where would the municipality recoup the taxes that would no longer be collected from the sale of cigarettes, right out of the public's pocket.	Aug 29, 2012 7:15 AM
There were thoughtless smokers at the festival this summer! One woman in particular, lit up often and then sat with the smoke blowing over the crowd. We had 2 children and a baby with our group and there were children in the group on the other side of her. In an open field there were lots of spots that she could have gone to when she felt the urge! For sure City sponsored events should be smoke free in consideration of children, Also the laws that are in place should be enforced, like at the doors into the Bingo Hall and grocery store and mall entrances:	Aug 29, 2012 7:06 AM
if it wasn't for smokers paying all those extra taxes, that go towards everything from cancer research to giving it all away to other countries, would the non smokers be willing to cough up the money???.! highly doubt itbeside's;! know of a person, who works for the cancer society; and all this money in extra taxes just goes to pay for him and alot of others to fly to Vegas on "Business" while they gamble on our dime and charge everything from food and drinks to the private jet home to the cancer societyso if! want to smoke,! will, because even though, the country and provinces are all being run by dictators, still believe it's suppose to be a free country with freedom of choiceand my choice is to smoke, if you don't like it, then stay inside, you forced me outsideso stay where you belongor start paying me for the smoke your inhaling on my dime	Aug 29, 2012 7:03 AM
The Government won't prohibit all of these places due to money loss. Remember it is the Government who gets most of the money from people who buy smokes. This is so hypacritical to even suggest the government prohibit such places, as they are the ones who support smoking so they can make LOT of money from it! I was surprised when they first prohibited smoking in bars/restaurants. I am sure they took a loss there	
187 this is not a comunist state people have rights	Aug 29, 2012 6:57 AM

6. Furtl	ner Comments:	
188	Smoking is such a bad and filthy habbit. I feel that the harder you make it for people that smoke maybe they will be forced in some way to quit!	Aug 29, 2012 6:49 AM
189	It would be nice to enjoy the fresh air that the North Bay area provides without the smell of smoke. Thanks for your efforts:	Aug 28, 2012 11:24 PM
190	It is important to be setting an example for children and youth and encouraging adults to act as role models for the betterment of the health of all our citizens in both the short and long term. The effects of smoking are well known to everyone; there is no need to allow it in any of these areas.	Aug 28, 2012 8:23 PM
191	Ouestion 2: Special events and festivals should not be designated smoke-free but there should be designated smoking areas instead of wherever you like. Ouestion 4: This should not only be North Bay, but should be ammended to be part of the Smoke Free Ontario Act.	Aug 28, 2012 5:31 PM
192	Smoking should be prohibitted especially at children's eventslike the soccer jamboree for example. It should be common sense not to smoke around children, but unfortunately not all people stop and think before they "light up.". The bylaw will hopefully help with thisas long as it is enforced and fines are given if people do not comply with it.	Aug 28, 2012 4:31 PM
193	thanks.	- Aug 28, 2012 4:01 PM
194	how do you deal with downtown businesses where the 9 metres would include almost the entire area :	. Aug 28, 2012 3:51 PM
195	I completely understand smoking bans indoors but any further than that and I feel it infringes on the smokers rights!'m a non smoker but I don't feel we should be banning people from smoking outside!!!! The one place I feel smoking should not be allowed is in a children's play areaother wise I don't feel we should prohibit people from smoking outside.	Aug 28, 2012 3:07 PM
196	I struggle with the outdoor patios, the reality is that business's need to provide a place for smokers to light up. Smoking is not illegal and as long as the smokers have a designated area! believe you are providing services to both smokers and non smokers. I am and have always been a non smoker. What you need to do it convince the Federal Government to prohibit the sale of tobacco and good luck with that as we all know the reason it has not been done is the almighty tax dollar they collect.	Aug'28; 2012 3:01 PM
197	The issue with sport fields (Omischl Field) is the fact that the fields are so far from the road and regular smokers cannot get to a non-city facility while they ar playing. There are areas at the far end of the ball parks where there could be a designated smoking area.	
198	Your habit of smoking should not impact my enjoyment of a long and cancer from life! No matter what any smoker says, they are killing me with their second har smoke, burning my feet with discarded cigarettes, littering my beaches and my parks with the disgusting ends to their smokes, destroying the environment with their plastic wrappers that are not biodegradable, tainting the air with their cancerous fumes and ruining my enjoyment of being outside: I am sick to deal of walking into a business through a cloud of smoke. I am sick of waiting for	

Q6. Further Comments:	
health care because the system is clogged with "self-induced sick people" because their smoking habit makes them ill. It is disgusting and NOT MY PROBLEMI	
199 I am a non smoker but feel as that the City has no rights determining which building/patio or out door space should be deemed smoke free.	Aug 28, 2012 2:23 PM
200 Smoking still occurs within the 9 metre restrictions, ie, bus stop, Oak St bus terminal, Public buildings. A bylaw is only as effective as adherence or enforcement. Increasing the restricted areas is fullie.	Aug 28, 2012 2:17 PM
201: In my opinion, the fewer places where smoking is allowed, the better. If it is less convenient to smoke, hopefully more people will quit, making our entire community healthier.	Aug 28, 2012 2:00 PM
202 My daughter and I have a right to enjoy the outdoors. We choose to be a smoke free family. By doing so we are not exposing others to cancerous agents. The same cannot be said for those who CHOOSE to smoke in public places. They should not be allowed to expose my child to toxins. Thank you for listening. Jennifer Reid.	Aug 28, 2012 1:55 PM
203 - 1 am a former smoker and have been completely stopped for over 6 years. I think-we have already over-regulated the smoking areas. Enough is Enough been there and suffered. Let's move on and ignore the anti smoking Fanatics for once!	- Aug 28, 2012 1:49 PM
I'don't believe Government should have the right to ban smoking outside. It's going a little too far: I am not a smoker and I feel this is going overboard. I understand and agree with not smoking inside, it makes sense. But, just because some people who don't smoke think it's gross it shouldn't mean smokers should cater to those few whiny intolerant babies. Suck it up butter cup people have a right to smoke outside if you don't like it YOU ARE OUTSIDE so just walk away. This is such a close minded survery. As a non-smoker I think people are bringing this up just to shit disturb and control other people. As a non-smoker I believe that smokers have rights too I think fat people are disgusting so can we ban fat people form restaurants or force them to eat less. It is the exact same thing everyone has a habit and over-eating is just as unhealthy and can cause just as many health problems as smoking, so why don't we just pick on all the soking igly, fat people and continue to make laws that segregate, them. If you're going to pick on smokers pick on everyone with habits.	Aug 28, 2012 1.49 PM
205 you've stood your ground, you've prooved your worth, just north enough to be perfect	Aug 28, 2012 1:49 PM
206 My Wife is 4.5 Months Pregnant and where ever we go we have to put up with second hand smoke. Wheter it's a t a ball diamond in the city, or in a parking lot going to get groceries, it's not something I want her or our unborn child exposed to. The more bylaws like this that are passed, will greatly reduce the amount of second hand smoke non smokers are exposed to. I don't feel like dying of cancer and leaving my children without a father because I had to be exposed to some else's dirty habit.	Aug 28, 2012 1:49 PM
207 1 don't smoke. We are over regulated in every way possible!	Aug 28, 2012 1:45 PM

208	I am a non smoker, the City is going to kill small buisnesses and Restaurants if this is passed.	Aug 28, 2012 1:40 PM
209	Adults know enough to avoid someone who is smoking if they are concerned of the related health effects, however childeren should not be subjected to this whatso ever in public places as they do not know enough to avoid it, and they shouldnt have to:	Aug 28, 2012 1:37 PM
210	I am a former smoker. I don't think we need to take control of people\s lives, but need to curb the opportunities to STOP smoking anywhere we find kids. the less they see the less they want.	Aug 28, 2012 1:35 PM
211	I'm not allowed to pee on people's heads after I drink beer so smokers shouldn't expose me to their second hand smoke ANYWHERE!!!	Aug 28, 2012 1:31 PM
212	I feel that the cost to our tourism would be far too great to enforce these regulations on private patios. Likewise I fear events such as the Summer in the Park concerts would not be nearly as popular. If however you were to not specifically make the event smoke free but host it in a smoke free venue, it would have the same effect, without turning away attendees. Were these restrictions put in place federally or provincially: I would fully support them.	Aug 28; 2012 1:15 PM
213	I think it is important to prohibit smoking in places where it is difficult for the non- smoker to get away from the smoke and still participate in the activity that is taking place, prohibiting smoking around children is a good thing:	Aug 28, 2012 9:13 AM
214	All government buildings should be a 9 metre distance regardless of what company is taking care of the buildings. They should not have an option to decide who should or should not have to follow the regulations.	Aug 22, 2012 10:03 A
215	I also feel that those who smoke in public (or even their vehicles), and throw away their cigarette butts on the sidewalk (or out their car window), should be charged with littering.	- Aug 21, 2012 9:44 A
216	SECOND HAND SMOKE SHOULD NOT BE A PROBLEM FOR AN NON- SMOKER! THANK YOU VERY MUCH!!	Aug 20, 2012 7:26 P
217	Whenever I am at an event, it seems that the smoke finds me and blows right in my face. If I'm watching an event, and someone's cigarette smoke goes in my face, I have to move. This is very offensive if you are at an outside patic eating a meal at a restaurant. No different outside than in.	Aug 20: 2012 11:50 A
218	With the current by-laws outdoor patio space has become the defacto smoking areas in many locations which is not fair to the majority of the population that does not smoke.	Aug 20, 2012 <u>1</u> 0:57
219	You need to make the law clear so people understand where they can and can not smoke. The current bylaw relating to smoke free entrances is ridiculous and hard to enforce: Some entrances are smoke free and some are not. Le Wal Mayou can smoke at the front door, but you can't smoke at the Food Court Entrance. You can not smoke at Northern Honda's entrance, but you can at Toyota's. How are people suppose to track this or better yet know. Ignorance of	

Q6. Further Comments:

XXAX.		
	hole. One could easily say they did not see the small sticker on the door. No smoking within 9 metres of all entrances (AND EXITS) in the City of North Bay, and smoking on all patios and a "fringe area" of 9 metres of the patio. Be sure it's clear. Also include "Exits" people will prop the door open out the fire escapes/exit only doors, keep it open with their foot and smoke.	
220	As an asthmatic I am sensitive to smoke even in outdoor places. I would likle to have equal and healthy access to recreation and retail places without being endangered by second hand smoke.	Aug 20, 2012 7:15 AM
221,	My health, the health of my family, friends and everyone is important.	Aug 20, 2012 5:41 AM
222	Just to let you all know us smokers are human and have rights too, we are not criminals and still deserve respect, we are also tax payers and pay taxes to operate all municipally owned or operated outdoor recreation areas, we also spend or hard earned money at business that have public and private outdoor patios where food or drinks are sold. Smokers pay more taxes all round than none smokers.	Aug 18; 2012 8:24 PM
223	The reason I'm against smoking at Parks/beaches is because children should not be subjected to second hand smoke at all and as an adult I also find cigarette butts disgusting. As for eventsIt's too crowdedI once walked past someone who was holding a cigarette and ended up with a burn hole in my sleeve. Thanks for asking for our opinion!	Aug 18, 2012 3:00 PM
- 224	I hope you get enough support for this proposed by-law. This concept is so exciting for a healhier Ontario!	Aug 17, 2012 7:25 PM
225	Nobody should have to walk through a cloud of smoke, or breath in the carcinogens that linger in the air and on clothing from cigartette smoke. Society needs to shun smokers, as well as the cost associated with health care for cigarette-related illnesses. It also feel that people should be charged for littering when they throw their cigarette butts on the ground.	Aug 17, 2012 2:37 PM
226	I feel that my life would be greatly enhanced if I never had to smell another cigarette every again. If you look outside the hospitals for example, these by-laws are not being enforced. For patients who are trying to recover after surgery or illness, they are not even able to go outside for fresh air. The covered shelters designed for patients to use are full of smokers (patients and employees). The ground is littered with cigarette butts and it is not a healthy or inviting environment in which to recouperate. It really needs much more enforcement. Likewise, I now refrain from walking downtown during my lunch break. Heaven forbid I have to run errands that bring me there during the lunch hour. A person trying to get some walking in would benefit from wearing a gas mask to prevent the second hand smoke that is outside every business. It is quite disgusting! I also no longer sit on the patio when dining out. I can't imagine it does anything to improve our tourism industry either. I know that smokers have rights too, however when their actions impact my life and heatth of others in a negative way, it should be prohibited.	Aug 17, 2012 11:01 AM
227 4	I feel that at special events/fesitivals smokers should be designated an area to smoke in rather than banning it all together.	Aug 17, 2012 10:57 AM

Q6. Fur	ther Comments:		
228	Although I completely support a smoke-free environment in public spaces, I the that there needs to be a balance between smoker and non-smokers and not infringe on individual choice. With that said, I'm thinking of targeting those locations where the vulnerable population (children, pregnant women, elderly are more likely to be and less likely to be able to walk away, and implement in more stringent policies in those areas. For extended the playgrounds vs. trails.)	7, 2012 10:50 AM
229	Appreciate the healthy and proactive actions	Aug '	7, 2012 10:48 AM
230	Follow the model already set out in Ottawa	Aug	17, 2012 10:43 AM
231	This is a terrific initiative - hope to see it happen!	Aug	17, 2012 10:40 AM

CS-2013-10

Draft Recommendation:

"That the 2012 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee Annual Report be noted and filed."

City of North Bay

Report to Council

RECEIVED CITY OF NORTH BAY MAR 2 5 2013

Report No: CSBU 2013 - 37

Date: March 7, 2013

CLERK'S DEPT.

Originator: Kathleen Fralic, Development Planner / Gap Coordinator

Subject:

2012 Update - Municipal Accessibility Plan and Municipal Accessibility

Advisory Committee

RECOMMENDATIONS

1) That the 2012 Update – Municipal Accessibility Advisory Committee Annual Report be received and referred to Committee.

BACKGROUND

The first Municipal Accessibility Plan was adopted by Council in the fall of 2003.

The annual update report from the Advisory Committee is a requirement under Section 29(4) the Accessibility for Ontarians with Disabilities Act (AODA). The 2012 update was discussed by the Advisory Committee and was adopted at its November 1st, 2012 Meeting. Some of the highlights from the report include the following:

- The Province of Ontario released Built Environment standards for public consultation which, if approved, will require all municipal projects to be vetted by the Municipal Accessibility Advisory Committee by 2016.
- The Municipal Accessibility Advisory Committee was consulted by the City on a variety of projects including the accessible viewing area for Summer in the Park, boardwalk repairs and the Zoning By-law accessible parking standards.
- The Municipal Accessibility Advisory Committee ran its annual Awareness Initiative & BBQ on June 6th, 2013 at the North Bay Transit Terminal.

In terms of objectives for 2013, some of the specific items for consideration by Council include:

- Inform Council of Provincial Standards and Legislation, as they become available.
- Continue to increase community awareness of accessibility issues.
- Review and comment on plans for capital upgrades of municipal facilities.
- Host guest speakers from various municipal departments and outside agencies.

ANALYSIS / OPTIONS

1. Do Not Receive the Report:

Council could choose to not receive the report of the Municipal Accessibility Advisory Committee. However, the reporting requirement is set out in legislation.

This option is not recommended.

2. Receive the Report and Refer to Committee

Under this option, Council could receive the Report from the Municipal Accessibility Advisory Committee. This option is recommended.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 2 ('Receive the Report") is the recommended option.

There are no additional financial implications, other than Staff time.

Respectfully submitted,

Kathleen Fralic

Development Planner / GAP Coordinator

noto

KF/dlb

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attach.

We concur with this report and recommendations.

Beverley Hillier, MCIP, RPP

Manager, Planning Services

Peter Chirico

Managing Difector, Community Services

lerry D. Knox

Chief Administrative Officer

CITY OF NORTH BAY Municipal Accessibility Advisory Committee (MAAC)

2012 ANNUAL REPORT

a) BACKGROUND

This report reflects activities undertaken by the North Bay Municipal Accessibility Advisory Committee during 2012 and plans for 2013.

b) SUMMARY OF ACTIVITIES - YEAR 2012

a) Committee Membership – 2012

Nora Long (Chair)
Emma Langdon (Vice-Chair)
Denise Alkins
Sharon Moseley-Williams
Barbra Smith
Jo-Ann Wilson
Councillor Mac Bain (City Council Representative)
Staff: Peter Carello (Secretary-Treasurer)
Dorothy Carvell (City Transit Representative)

Former Committee members Nicole Glanz, Brian Trivett and Geoff Laplante all left the Committee for personal reasons in 2012.

Sharon Moseley-Williams joined the Committee

Staff liaison Erik Acs was Secretary-Treasurer for the Committee until he left the organization in August 2012. Peter Carello has taken over as Secretary-Treasurer on an interim basis. Newly hired Development Planner Kathleen Fralic is anticipated to take over as Secretary-Treasurer in early 2013.

b) <u>Meetings of the Committee</u>

The Municipal Accessibility Advisory Committee met five times in 2012. Meetings generally take place the first Thursday of every month, at 5 p.m. at City Hall.

c) Guest Speakers

MAAC meetings are regularly attended by City staff. Guest speakers in 2012 included Alan Korell (Managing Director Engineering, Environment & Public Works), Peter Carello (Senior Policy Planner). Staff attendance at MAAC meetings creates good opportunities for two-way discussion. They allow MAAC members to gain an understanding of the internal processes at City Hall and for staff members to access and incorporate the unique perspectives and insights from MAAC members into specific initiatives.

d) Consultations

City staff consulted with MAAC throughout 2012. Some specific examples of projects or regulations that MAAC provided comments on:

• Location of accessible viewing area for Summer in the Park;

- Repairs to boardwalk steps (near King's Landing) slated to occur in 2013;
- Provincial Accessibility Standards; and
- Amendment to the Zoning By-law section pertaining to accessible parking.

e) Provincial Legislation

On August 15, 2012, the Province released the first of their Built Environment standards for public consultation. The proposed standards would regulate the manner that organizations (including municipalities) must construct specified assets and infrastructure. These would include sidewalks, beaches, playgrounds, picnic tables, pedestrian crossings, service counters and parking standards. If approved as presented, the new standard would come into effect 2015 for the Provincial Government, 2016 for municipal governments and other identified organizations and 2017 for large organizations and 2018 for all other organizations.

Another notable change being proposed by these standards is a requirement that all municipal projects must be vetted by the MAAC. While many projects are brought to MAAC for consultation, this is done on a voluntary basis, depending on the Committee's schedule and the timing of the project. Should the standards be approved, this consultation will become mandatory.

MAAC members were asked to review the proposed standards and provide comments to City staff for inclusion in a response letter to the Province. Ultimately, however, staff and MAAC both determined that the standards were reasonable and that no response was required.

f) Awareness Initiatives

MAAC held an accessibility awareness initiative at North Bay Transit Terminal on June 6th 2012. The event has been held annually for the past 4 years. The purpose of the event is to showcase city initiatives such as accessible transit busses, as well inviting other community organizations to provide information on accessibility and accessibility related initiatives to the community.

g) Communication with City's Internal Accessibility Committee

Dorothy Carvell provided the MAAC with an update from the City's Internal Accessibility Committee at every meeting. This allowed the Committee to learn of progress made to increase accessibility within the City, such as the implementation of the Service Interruption notification system.

h) 2013 Work Program

The Committee and staff are preparing a formal work program for 2013. This program may include, but not be limited to, the following:

- 1. Inform Council of Provincial Standards and Legislation, as they become available.
- 2. Continue to increase community awareness of accessibility issues.
- 3. Review and comment on plans for capital upgrades of municipal facilities.
- 4. Host guest speakers from various municipal departments and outside agencies.

Respectfully submitted,

Nora Long
Chair, North Bay Municipal Accessibility Advisory Committee

ENGINEERING & WORKS COMMITTEE

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Chairperson: Vice-Chair:

Councillor Vrebosch Councillor Koziol

Member: Ex-Officio:

Councillor Campbell Mayor McDonald

EW-2010-03

Report from A. Korell/J. Houston dated March 26, 2010 re Kate Pace Way west end bike route connection between Memorial Drive and Gormanville Road (R05/2010/KPWTR/WESTENDR).

ITEMS REFERRED BY COUNCIL FOR A REPORT

DATE	<u>ITEM</u>
March 29, 2005	Backflow Prevention Program survey of all industrial, commercial and institutional buildings (due September 2005).
September 21, 2009	Review, update and consolidation of Noise By-Law (due June 30, 2010).
May 3, 2010	Track the net financial benefits created through increased assessment as a result of the Airport Industrial Community Improvement Plan sites being developed.
January 24, 2011	Comprehensive review of City owned Lake Nipissing accesses.
July 4, 2011	Comprehensive Status Report relating to BCIP (due July 2014).
August 15, 2011	Effectiveness of the Residential Rental Housing By-Law (due May 2013).
July 16, 2012	Review of water and sewage rates for the dispensing facility on Patton Road (due March 2013).