

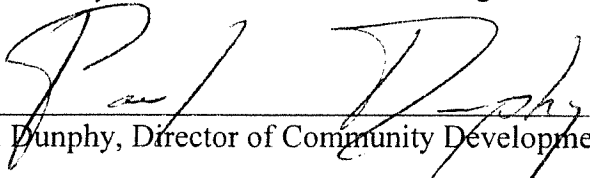


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Halifax Regional Council
January 9, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Paul Dunphy, Director of Community Development

DATE: December 13, 2006

SUBJECT: Smoke Free Nova Scotia as of December 1, 2006

INFORMATION REPORT

ORIGIN

On December 1st, 2006 the provisions of the amended Nova Scotia Smoke-Free Places Act (SFPA) became effective and banned smoking in enclosed places across Nova Scotia. This report will provide highlights of the revised act related to the HRM Smoke Free Place By-law S-203

BACKGROUND

This means that on December 1st:

- Smoking is no longer allowed in all indoor workplaces and public places, including restaurants/lounges and beverage rooms/private clubs/cabarets/bingos and casinos
- Smoking is no longer allowed on outdoor areas of restaurants/lounges and beverage rooms/private clubs/cabarets/bingos and casinos if that area is used for serving or consumption of food or beverages
- Smoking is no longer allowed in designated smoking rooms except where the building or facility is designated by regulation to allow smoking or long term care facilities, where DSR is for the use by only residents (and not staff).
- Smoking is not permitted within four metres of a ventilation air intake, window or entrance to a place of employment
- Ashtrays are not allowed where smoking is not permitted
- More information on the SFPA is available at <http://www.gov.ns.ca/hpp/tobaccoControlSmokeFree.html>
- Complaints about indoor smoking or questions about the SFPA can be directed to 1-800-565-3611

DISCUSSION

In a previous Information Report at the December 1, 2005 Council session on the revised Provincial Act, staff concurred that the revised NS Smoke Free Places Act effective December 1, 2006 would supercede the HRM Smoke Free Places By-law. There was at that time uncertainty about the inclusion of casinos in the revised Act.

Information on the effect of the revised Act has been provided by the Tobacco Reduction Strategy office of the Capital Health District Authority. The Regulations now include "casinos" within the definition of "enclosed space". This means that HRM's by-law regulating smoking has been superceded by the Province of Nova Scotia and that the HRM by-law has become redundant and could be placed in line for repeal process some time in the future. In any event, enforcement of The Smoke Free Places By-law S-203 is no longer be required. Staff have prepared an update for the HRM web site, call centre and enforcement staff so that inquiries can be handled in an effective manner and members of the public directed to provincial sources for service.

BUDGET IMPLICATIONS

None. Fire Services only responded to these complaints when conducting regularly scheduled night Fire Safety Inspections. They would wait until a number of complaints were compiled and then target those facilities/businesses. Fire Services will still carry on the night safety inspection regardless of there being no smoking complaints.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

None

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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