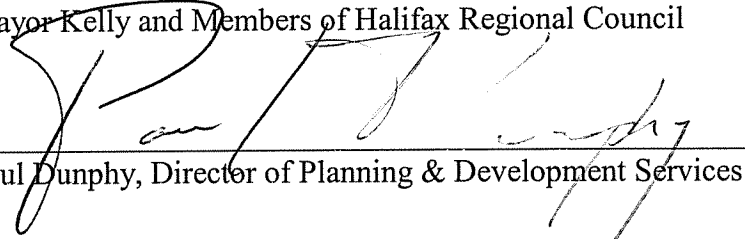




PO Box 1749
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Halifax Regional Council
December 6, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Paul Dunphy, Director of Planning & Development Services

DATE: December 1, 2005

SUBJECT: Smoke-Free Places Act

INFORMATION REPORT

ORIGIN

On November 3, 2005, the Province gave third reading to amendments to the *Smoke-Free Places Act*. Effective December 1, 2006, the Province will ban smoking in all:

- public enclosed places; and
- public outdoor areas of eating or drinking establishments.

BACKGROUND

When the *Smoke-Free Places Act* was originally adopted it contained several exemptions. The *Act* also allowed municipalities to override these Provincial exemptions by adopting more restrictive bylaws. HRM adopted such a bylaw on April 19, 2003. The most significant feature of HRM's bylaw is that a nearly complete ban on smoking in public indoor locations and outdoor eating/drinking areas will take effect January 1, 2008. The only exemptions after 2008 are "tobacco bars" and Legions.

DISCUSSION

The new Provincial amendments to the *Smoke-Free Places Act* will have the following effect on HRM's bylaw:

- smoking in enclosed indoor places as well as outdoor eating or drinking establishments will be banned two years earlier;

- “tobacco bars” and Legions will not be exempt under the new provincial *Act*; and
- HRM’s restrictions on smoking inside the casino will remain in place.

The reason HRM’s bylaw will still affect in the casino is because the Provincial legislation continues to exempt gambling rooms in casinos and municipal bylaws are still allowed to override this Provincial exemption. A full ban on smoking in the casino will still take effect January 1, 2008, pursuant to HRM’s bylaw.

BUDGET IMPLICATIONS

None.

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

- 1) No action is required.
- 2) Based upon the imminent Provincial ban, Council may wish to implement an earlier smoking ban in the casino. In order to adopt an earlier ban for smoking in the casino, a public hearing would have to be held to amend HRM’s Smoke-Free Places Bylaw.

ATTACHMENTS

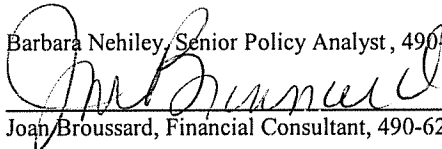
None

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