Outdoor Smoking Ban

	Victoria	Vancouver	Calgary	Edmonton	Saskatoon	Regina	Toronto	Ottawa	Fredericton	St. John's
By-law										
Does XX municipality currently prohibit devices or products that generate second-hand smoke on outdoor patios at restaurants, bars and other licensed establishments?	**Yes** Tobacco Only	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes** Tobacco Only	**Yes** Tobacco Only	**Yes**	**Yes**
If yes;										
Is the prohibition driven by a municipal regulation or a provincial regulation?	**Municipal**	**Municipal**	**Both**	**Both**	**Interpretation** 3. (1) This Bylaw is intended to supplement the legislative scheme established under Part III of The Tobacco Control Act. (2) The provisions of The Tobacco Control Act shall apply in The City of Saskatoon, except as provided in Subsection (3). (3) In the event of a conflict between the provisions of this Bylaw and The Tobacco Control Act, the provisions of this Bylaw shall prevail provided the provisions of this Bylaw are more restrictive. (4) Whenever possible, the terms in this Bylaw shall have the same meaning as those terms are defined in The Tobacco Control Act.	**Municipal**	**Both Municipal and Provincial**	**Both Municipal and Provincial**	**Provincial** Both the provincial & municipal bylaws are almost identical. However, they have different Regulation No.'s (Bill 75 & Chapter 222). The provincial by law also appears to be more updated & detailed. It also extends to include vaping products which the municipal bylaw does not.	**Provincial** Municipal law directs to the provincial bylaw
What are the titles(s) of the regulation?	**CLEAN AIR BYLAW** No. 3962	**HEALTH BY-LAW** NO. 9535	**THE SMOKING BYLAW** BYLAW NUMBER 57M92	**PUBLIC PLACES BYLAW** BYLAW 14614	**THE SMOKING CONTROL BYLAW, 2004** BYLAW No. 8286-CODIFIED TO BYLAW No. 9338	**THE SMOKING BYLAW, 2017** BYLAW No.. 2017-20	**TORONTO MUNICIPAL CODE** CHAPTER 709, SMOKING	**SMOKE-FREE - PUBLIC PLACES** BY-LAW No. 2001-148	**SMOKE-FREE PLACES ACT** BILL 75	**SMOKE-FREE ENVIRONMENT ACT, 2005** SNL2005 CHAPTER S-16.2
What are the details of the prohibition?	2.(l) No person shall carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or bum tobacco in any other manner: (e) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed (g) within **seven (7) metre** area measured on the ground from a point directly below any point of a doorway, window or air intake in a place described in subparagraphs (e)	Ban on smoking 2.2 A person must not smoke: (e) within six metres measured on the ground from a point directly below any point of any opening into any building including any door or window that opens or any air intake; f) in a customer service area; (h) within **six metres** of the perimeter of a customer service area. "**customer service area**" means a partially enclosed or unenclosed area, including a balcony, patio, yard or sidewalk, that is part of or connected to or associated with a business or use in a building or premises that includes the service of food or alcoholic drinks to customers or other persons for consumption on site	3.(1) No person shall: (a) carry or possess a lit cigarette, cigar or pipe, or burn tobacco in any manner; or (b) use an electronic smoking device; in a public premises, a workplace or a public vehicle. 3.(3) within **5 metres** of an entrance or exit to a public premises. "**public premises**" means any place to which the public may have either express or implied access for the purpose of worship, entertainment, recreation, business, amusement, education, transportation, consumption of food or drink, or for the provision and receipt of services	12.(GENERAL SMOKING PROHIBITION) A person shall not smoke: (b) on a patio; (d) within **five metres** from a doorway, window or air intake of a building or patio (f) within a no smoking area. "**no smoking area**" means any public place, or portion of a public place, designated by temporary or permanent signage or other marking as a no smoking area 18.1 (1) (No Smoking Areas) The City Manager may designate any public place, or portion of a public place, as a no smoking area. *Note:* *Section 16(1) allows for a exceptions to the bylaw in situations where the province or federal regulations supersede*	**Scope** 4.(1) This Bylaw applies with respect to places or premises operated as: (f) outdoor seating areas; (i) sidewalk cafes. (f) "**outdoor seating area**" means an outdoor area or structure commonly referred to as a patio, deck, terrace or rooftop, whether enclosed or not, that is open to the public or to which the public is customarily admitted or invited that is operated as part of a restaurant or licensed premises, but does not include an outdoor area or structure made available by a restaurant or licensed premises if: (i) there is no seating of any kind provided in the area or on the structure; (ii) there is no service of any kind provided in the area or on the structure; and (iii) there is no food or drink permitted in the area or on the structure at any time "**sidewalk cafe**" means an outdoor area, located on a public sidewalk, to which members of the general public are invited or permitted access and which abuts and is operated as part of a restaurant; **Smoking Prohibited** 5. (1) No person shall smoke or hold lighted tobacco in any place or premises mentioned in Subsection 4(1). (2) No proprietor of a place or premises mentioned in Subsection 4 (1) shall permit persons to smoke or hold lighted tobacco within that place or premises. **Vaping Prohibited** 5.1 (1) No person shall vape in any place or premises mentioned in Subsection 4(1). (3) In addition to those places or premises mentioned in Subsection 4(1), no person shall vape and no proprietor shall permit persons to vape in the following places or premises: (c) within three metres from a doorway, window or air intake of an enclosed public place	There will be no smoking and vaping allowed on all city-owned public spaces. Smoking is allowed on sidewalks, roads and parking areas, including parkades. In addition, **smoking and vaping will be prohibited on outdoor seating areas of restaurants, bars and similar establishments.** **Highlights** **1. Prohibits smoking and vaping on outdoor seating areas of restaurants, bars and similar establishments** 2. Prohibits smoking and vaping on all City-owned or controlled land. This includes City-owned facilities like playgrounds, spray pads, swimming pools, skating rinks, skate parks, dog parks, exercise facilities, track facilities, outdoor stadiums and sports facilities, hard surface courts and athletic fields. It also includes parks and open spaces, multi-use pathways, golf courses within City limits and plazas. It does not include roads, sidewalks, parking lots and open air parkades. 3.Prohibits smoking and vaping within a 10 metre buffer zone of entrances, windows and air exchanges of public buildings 4. Prohibits vaping in enclosed public places where smoking is prohibited under The Tobacco Control Act external link icon 5. Has an exemption consistent with The Tobacco Control Act in relation to outdoor traditional spiritual and cultural ceremonies 6. Has an exemption for teaching and testing devices in a vape retail store	As of January 1, 2015, it is illegal to: • smoke on all bar and restaurant patios, whether covered or not (with an exemption for uncovered patios established by the Royal Canadian Legion - Ontario Provincial Command before November 18, 2013) 709.3 Smoking restrictions. A. No person shall smoke within a **nine metre** radius surrounding any entrance or exit of a public building	3. No person shall smoke in any public place designated under Section 2 of this by-law. (y) an outdoor patio. "**outdoor patio**" means an outdoor area, whether enclosed or not, of a bar, restaurant or food court where food, beverages, wine, spirits or any of them may be consumed by or served to the public or members of a club or organization but does not include that part of the outdoor area that is located on the highway; (amended by By-law No. 2001-447) "**public place**" means, (b) an outdoor patio	Smoking prohibited in certain places 3. Except as provided in sections 4 and 5, no person shall smoke (a) in an enclosed public place 1(1)"**enclosed public place**" means all or any part of building or other enclosed place, other than a group living facility, to which members of the public have access as of right or by express or implied invitation, and includes (c) an outdoor eating or drinking area referred to in subsection (2)	
How does the regulation define "smoking"?	"carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or bum tobacco in any other manner"	"**smoke**" or "smoking" includes burning a cigarette or cigar, or burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device	See above	11.(g) "**smoke**" or "**smoking**" means to smoke, hold, or otherwise have control over an ignited tobacco product, or to use, hold, or otherwise have control over an electronic cigarette	See above	(l) "**smoke or smoking**" means to inhale, exhale, burn, carry or control a lighted cigarette, cigar, pipe, or similar equipment that burns any substance or generates smoke, and includes the use of a hookah pipe, water pipe or bong	**SMOKE OR SMOKING**- Includes the carrying of a lighted cigar or cigarette, pipe or any other lighted material.	"**smoke**" or "**smoking**" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.	1(1)"**smoke**" means to smoke, hold or otherwise have control over an ignited tobacco product.	

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What products or devices are prohibited for use?	Tobacco only	• Cigarette or cigar • Burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device	Lit cigarette, cigar, cigarillo, pipe or tobacco and electronic smoking devices (e.1) "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe; (B/L 27M2015, 2015 June 29)	Tobacco products and electronic cigarettes 11.(a.1) "**electronic cigarette**" means a handheld device containing a liquid that is vaporized and inhaled, and includes but is not limited to **electronic cigarettes, e-cigarettes, vaporizer cigarettes, personal vaporizers, and electronic nicotine delivery systems**; 11.(l) "**tobacco product**" means a product manufactured from tobacco and intended to be smoked including but not limited to a **cigarette or a cigar**	(c.1) "**electronic cigarette**" means a handheld device containing a liquid that is vaporized and inhaled, and includes but is not limited to electronic cigarettes, e-cigarettes, vaporizer cigarettes, personal vaporizers and electronic nicotine delivery systems; (k) "**tobacco**" means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine to which the Food and Drugs Act (Canada) applies; (l) "**vape or vaping**" means the utilization of an electronic cigarette or any other heated smoking equipment used to vaporize any tobacco or non-tobacco substance whether or not it contains nicotine.	Cigarette, cigar, pipe, or similar equipment that burns any substance or generates smoke and includes the use of a hookah pipe, water pipe or bong. Also includes devices used in "vaping": Electronic cigarette, vaporizer, or any other heated smoking equipment used to vaporize any substance whether or not it contains nicotine (n) "**vape or vaping**" means the use of an electronic cigarette, vaporizer, or any other heated smoking equipment used to vaporize any substance whether or not it contains nicotine.	•Cigar •Cigarette •Pipe or any other lighted material	•Cigar •Cigarette •Pipe or any other lighted smoking equipment	Tobacco products prohibited 1(1)"**tobacco product**" means a product manufactured from tobacco and intended to be smoked.	
Are there any exemptions within the regulation(s) as they relate to the business type or classification? (ex: businesses such as community centres that receive temporary liquor licenses are exempt?)	No	No	Proprietors, Businesses or Employers are given authority to establish "smoking areas"/"smoking premises" but they **must be inaccessible to the public.** 4. (6) Notwithstanding any other provision in this Bylaw, no person shall designate any of the following as smoking places: (g) an outdoor patio (l.3) "outdoor patio" includes: (a) a public premises where food or beverages are served that is not fully contained within an enclosed building; and (b) an outside extension of an eating or drinking establishment regardless of whether it is covered		No. Exemptions apply to enclosed areas only. (4) Subsection (3) does not apply to: (a) a separate enclosed ventilated place that: (i) is within: (A) a facility designated as a special-care home pursuant to The Regional Health Services Act; or (B) a personal care home as defined in The Personal Care Homes Act that offers care and accommodation to more than 10 persons; and (b) a child care facility that is a group family child care home or a licensed family child care home during the times that no child care services are being provided in the facility.	None specified	"with an exemption for uncovered patios established by the Royal Canadian Legion - Ontario Provincial Command before November 18, 2013" *-As specified on the City of Toronto website*	No	None that apply to restaurants, patio's or bars Exemptions listed for group living facilities and hotel rooms	
Are there any exemptions within the regulation(s) as they relate to physical spaces on the business property? (ex: a smoking corral, etc.)	No	No	Proprietors, Businesses or Employers are given authority to establish "smoking areas"/"smoking premises" but they **must be inaccessible to the public.** 3.1 Notwithstanding Section 3, a person may smoke in: (a) a smoking area; "**smoking area**" means that part of a public premises designated by an employer as a smoking area in accordance with this Bylaw (b) smoking premises "**smoking premises**" means a transitional public establishment designated by an operator or proprietor as a smoking premises in accordance with this Bylaw "**transitional public establishment**" means a public premises where the primary activity is the service and consumption of food or drink, or the conduct of licensed gaming events	No	None specified	There are no exemptions to patios or bars but there are fir the for the following outdoor areas. Smoking is allowed on **sidewalks, roads** and **parking areas**, including **parkades**. (g) "**outdoor seating area**" means an outdoor area or structure commonly referred to as a patio, deck, terrace or rooftop, whether enclosed or not, that is open to the public or to which the public is customarily admitted or invited that is operated as part of a restaurant or licensed premises, **but does not include an outdoor area or structure made available by a restaurant or licensed premises if**: **(i) there is no seating of any kind provided in the area or in the structure;** **(ii) there is no service of any kind provided in the area or in the structure; and** **(iii) there is no food or drink permitted in the area or in the structure at any time**	**uncovered patios** established by the Royal Canadian Legion	No	None that apply to restaurants, patio's or bars Exemptions listed for group living facilities and hotel rooms	
Does the regulation include square footage / spaces outside of the business property boundary that would also be subject to the regulation?	Within **seven (7) metre** area measured on the ground from a point directly below any point of a doorway, window or air intake	A person must not smoke: (h) within **six metres** of the perimeter of a customer service area.	Limited to **5 metres** of an entrance or exit to a public premises.	Limited to **five metres** from a doorway, window or air intake of a building or patio	**No spaces specified for outdoor patios, only schools.** (3) In addition to those places or premises mentioned in Subsection 4(1), no person shall vape and no proprietor shall permit persons to vape in the following places or premises: (a) an enclosed public place that is a school or an independent school or on the grounds surrounding a school or an independent school; (c) within **three metres** from a doorway, window or air intake of an enclosed public place mentioned in clause (a).	No. There are no square footage buffer areas listed that apply directly to outdoor seating areas.	No person shall smoke within a **nine metre** radius surrounding any entrance or exit of a public building	No	No	
Are there any exceptions relating to Indigenous ceremonial tobacco use?	(3) Section 2(1) does not apply to a ceremonial use of tobacco in relation to a traditional aboriginal cultural activity.	Defer to provincial bylaw 2.3 (2) Subsection (1) does not apply to the ceremonial use of tobacco (a) in relation to a traditional aboriginal cultural activity **-***Tobacco and Vapour Products Control Act*	2.(1) Nothing in this Act affects the rights of aboriginal people respecting traditional aboriginal spiritual or cultural practices or ceremonies	15. (Aboriginal People) Nothing in this Part affects the rights of aboriginal people respecting traditional aboriginal spiritual or cultural practices of ceremonies.	5.(3) Nothing in this Bylaw prohibits a person from smoking or holding lighted tobacco or tobacco-related products in a City-owned public place for traditional Aboriginal spiritual or cultural practices or ceremonies, if the use of tobacco or tobacco-related products is an integral part of the traditional Aboriginal spiritual or cultural practices or ceremonies being carried out in the City-owned public place.	12. Nothing in this Bylaw prohibits a person from smoking or vaping for the purposes of traditional spiritual or cultural practices or ceremonies, if smoking or vaping is an integral part of the traditional spiritual or cultural practices or ceremonies being carried out with the consent of the owner of that place.	Defer to provincial bylaw	Defer to provincial bylaw	2(2) Nothing in this Act affects the rights of aboriginal people respecting traditional aboriginal spiritual or cultural practices or ceremonies.	

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Who is mandated to enforce the regulation(s)?	"**Enforcement Officer**" means a person appointed as a bylaw enforcement officer or contractor by the Capital Regional District to enforce this Bylaw	3.1 An inspector or official of the city, or a by-law enforcement officer, may give notice to any person ordering or directing that person to: (a) discontinue or refrain from proceeding with any work or using or occupying any land or building or doing anything that contravenes this By-law Service of notice 3.2 An inspector or official of the city, or a by-law enforcement officer, may serve a notice under this By-law: (b) by handing it to the person who is the addressee of the notice	Both Peace Officers and Police are mandated to enforce the smoking bylaw. (As per follow-up questions)	Peace Officers (As per follow-up questions)	9. The following persons are appointed as bylaw enforcement officers and are designated to carry out inspections for the purpose of administering and enforcing this Bylaw: (a) a member of the Saskatoon Police Service; (b) a person designated as a tobacco enforcement officer pursuant to Section 16 of The Tobacco Control Act; (c) a person designated as a public health officer pursuant to Section 11 of The Public Health Act, 1994; and Page 10 (d) any other person appointed by the City for the purpose of administering and enforcing this Bylaw	18. For the purpose of enforcement of this Bylaw and sections 324, 325, 326 and 328 of The Cities Act, the following persons are designated officers: (a) any member of the Regina Police Service; (b) any person employed by the City of Regina in the following positions: (i) Manager of Bylaw Enforcement; (ii) Senior Bylaw Enforcement Officer; and (iii) Bylaw Enforcement Officer; (c) any person designated by the City as a Bylaw Enforcement Officer; and Bylaw No. 2017-20 5 (d) any tobacco enforcement officer appointed under The Tobacco Control Act or any public health officer appointed under The Public Health Act, 1994.	Enforcement Officers will be responding to complaints. Enforcement Officers will be enforcing the bylaw in addition to the existing Smoke-Free Ontario Act.	15.(1)The provisions of this by-law respecting the designation of non-smoking areas, the posting of signs and the duties imposed on the proprietor or other person in charge of a public place shall be enforced by inspectors.	**Inspectors** 11(1) The Minister may appoint or designate inspectors for the purpose of this Act. 11(2) The Minister shall issue to every inspector a certificate of appointment or designation and every inspector, in the execution of his or her duties under this Act or the regulations, shall produce his or her certificate upon request. 1(1)"**inspector**" means an inspector designated or appointed under this Act.	
What role (if any) is the business mandated to play in enforcing the regulation(s) with customers and or employees?	(2) No **responsible person** shall permit a person to carry or have in his possession a burning cigarette or cigar or a pipe containing burning tobacco, or to bum tobacco in any manner: (b) in any area of a business place where either or both food and beverages are served or consumed, or both served and consumed "**responsible person**" means the person who controls, governs or directs the activity carried on within the building, place or premises referred to in this Bylaw and includes the person actually in charge thereof	2.3 Except as permitted by section 2.2, a **responsible person** must not suffer or allow a person to smoke in: (a) a building or customer service area; (b) premises or common areas; (c) an area described in section 2.2(e) or (g) except to the extent that all or part of such area is not part of the parcel on which the building or customer service area is situate and is not an area over which such responsible person has possession or control "**responsible person**" means a person who owns, controls, manages, supervises, or operates: (b) a business or other use which occupies premises, (d) a customer service area	3.2 An employer, operator or proprietor shall ensure that no person: (a) carries a lit cigarette, cigar or pipe, or burns tobacco; (b) uses an electronic smoking device. on premises controlled or owned by them. (5) No person shall provide services or allow services to be provided to any person who is: (a) carrying or possesses a lit cigarette, cigar or pipe; or (b) using an electronic smoking device; in an area or premises in which doing so is prohibited by this Bylaw.	Proprietors will be fined if they do not adhere to the following: 13. (OWNER OBLIGATIONS) A person who owns or occupies a place where smoking is prohibited by this Part shall not permit any individual to smoke in that place.	5.(2) No proprietor of a place or premises mentioned in Subsection 4(1) shall permit persons to smoke or hold lighted tobacco within that place or premises. 5.1 (2) No proprietor of a place or premises mentioned in Subsection 4(1) shall permit persons to vape within that place or premises. 6. (1) Every proprietor of a place or premises mentioned in Subsection 4(1) shall ensure that signs containing a statement respecting the prohibition against smoking or holding lighted tobacco are posted in the place or premises.	**Outdoor Public Seating Areas** 4. No person shall smoke or vape in any outdoor seating area. 8. No **owner** of an area to which section 4 applies shall permit smoking or vaping within that area (g) "**outdoor seating area**" means an outdoor area or structure commonly referred to as a patio, deck, terrace or rooftop, whether enclosed or not, that is open to the public or to which the public is customarily admitted or invited that is operated as part of a restaurant or licensed premises, but does not include an outdoor area or structure made available by a restaurant or licensed premises if: (i) there is no seating of any kind provided in the area or in the structure; (ii) there is no service of any kind provided in the area or in the structure; and (iii) there is no food or drink permitted in the area or in the structure at any time	709-4. Responsibilities of proprietors. A. Every proprietor of a public building shall: (1) Prohibit smoking in an area within a **nine metre** radius surrounding any entrance or exit of a public building except that part of the nine metres which is located on the public highway (2) Post no-smoking signs conspicuously at the entrances and exits of public building; and (3) Prohibit ashtrays and like paraphernalia in areas where smoking is prohibited.	Duties 11. No proprietor or other person in charge of a public place shall permit smoking where smoking is prohibited under this by-law. 4.The proprietor or other person in charge of any public place designated or regulated under this by-law shall ensure that a sufficient number of signs as prescribed by Section 7 are conspicuously posted so as to clearly identify that smoking is prohibited. (amended by By-law No. 2001-447) 8.The proprietor or other person in charge of a public place regulated under this by-law shall ensure that no ashtrays are placed or allowed to remain in any public place where smoking is prohibited pursuant to this by-law.	**Managers and employers to ensure no smoking** 7(1) The manager of a place, area or vehicle where smoking is prohibited under this Act shall ensure that no person smokes in that place, area or vehicle. 7(2) An employer shall ensure that no person smokes in a place, area or vehicle over which the employer has control other than in a place, area or vehicle where smoking is not prohibited under this Act. **Posting of signs** 8(1) The manager of a place, area or vehicle where smoking is prohibited or where it is permitted under section 4 or 5 shall ensure that signs indicating that smoking is prohibited or permitted, as the case may be, are posted and continuously displayed in accordance with the regulations. **Ashtrays not permitted** 9(1) No manager shall permit any ashtrays or similar receptacle in any place or area where smoking is prohibited under this Act.	
Which party is the target for enforcement penalties?	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	Proprietors and customers	
Follow-up Questions										
Are you aware of any measureable impact that a patio ban on smoking ban has had on businesses in your municipality?	n/a	No study that I am aware of. Initially there was a lot of push back and concern that business would lose out but that turned out to be unfounded. Anecdotally, I can say that I've seen and heard that the opposite has happened and restaurants/patios have seen an increase in business as more people are able to enjoy a smoke-free environment.	The City's smoking bylaw has prohibited smoking on patios since March 2003. As our bylaw has been in place for many years, there are very few recent incidents or complaints, and citizens generally understand the rules about where smoking is prohibited.	We banned smoking on patio's several years back. When the broader ban came into effect that included all indoor areas (including patio's) bars and restaurants complained significantly about the loss of patrons, economic impacts etc. These were proven to be unfounded. The vast majority of bars and restaurants saw a significant increase in non-smoking patronage that off set any smoking patron loss.	N/A this ban was put into effect in 2006	The Regina Smoking Bylaw came into effect on July 15, 2017. It is too early to say what the impacts are on businesses as its only been about a month.	Because the SFOA is a provincial act, I would recommend you consider reaching out to the Ministry of Health & Long-Term Care for these types of figures. To my knowledge, the City of Toronto has not studied the impact of the patio ban on our businesses. Anecdotally, it appears to be business as usual.	The City of Ottawa banned smoking on patios in 2012, since then I haven't heard or seen any long-term impacts on business really. Some business where outspoken that they would be forced to close, and others businesses that already had voluntary smoke-free patios for years would counter that argument saying they've been smoke-free for a long time and business is great. Basically, as long as everyone was on an equal playing field, restaurant and bar owners weren't too concerned. These places open and close all the time, for various reasons, I don't think smoking is a big one.	n/a	n/a
Does the City of XX proactively enforce the smoking bylaw (on patio's specifically) or is enforcement complaint-based	n/a	Complaint-based. If an inspection is occurring and smoking in a prohibited area is witnessed by an enforcement officer, it is addressed.	Enforcement is complaint based.	Generally, complaint based. We have a Public Safety Compliance Team (Police, Bylaw, Fire, Development, Liqour staff) that proactively visits bars and if there is a violation they deal with it. Generally the bar owners/managers deal with it. They can be fined if they allow it to occur on their property.	Complaint driven	Enforcement in the first year of the bylaw (2017/2018) is focused on public education. Bylaw Enforcement works with the Regina Qu'Appelle Health Region to respond to complaints regarding restaurant and bar patios. The health region also reviewing smoking bylaw compliance at restaurants and bars during the course of their routine health inspections.	Both. We obviously respond to complaints from the public about smoking on patios. In addition, our Officers are advised to conduct patio inspections whenever conducting a different type of inspection at a premise with a patio. So if we're conducting a Vendor inspection of a bar that sells tobacco, we'll also take a look at their patio. We also conduct proactive patio inspections when a special event is scheduled that might draw a large crowd or increased scrutiny. For example, we would send Officers to conduct proactive patio inspections into areas that are planning on holding a street festival, rib fest, sporting event, etc. Our Officers also have the discretion to inspect patios after they themselves have observed patio non-compliance while in their areas. Finally, in the inaugural year of the patio prohibition we supplied our Public Health Inspectors (restaurant/bar inspectors re: food) with a quantity of signs for them to distribute to premises they inspected with patios.	We enforce the by-law on a complaint-basis. And our # of complaints is negligible, if not zero. Restaurants are very good at managing their premises and patrons, especially when alcohol is on the menu. What we did is develop some resources that servers and staff could refer to in the event someone was smoking on their patio. I've attached the resources we provided to the email.	n/a	n/a

	Victoria	Vancouver	Calgary	Edmonton	Saskatoon	Regina	Toronto	Ottawa	Fredericton	St. John's
Does the City of XX provide physical signage to businesses or are businesses required to produce their own?		Businesses post their own. They are instructed to print off signs from the Lung Association as it meets all standards.	Businesses produce their own signage. However, with the bylaw being in place for 15 years, signage is often not necessary – citizens understand that they cannot smoke on patios.	We did initially to support the change but it's the businesses responsibility. Our plain jane signs didn't always fit with the decor....Our bylaw required them to have signs in place.	No, the City of Saskatoon does not provide physical signage. However, signs may be picked up at a local Heath Region Center (Provincially owned), and can also be printed at any print shop. "Prohibit smoking within 3m of all doorways, windows, and air intakes of enclosed public places" Provincial Tobacco Control Legislation. They may also print their own signs, at their own cost.	The City has provided signs that are available online for businesses to download and use at their locations. I've provided a link: http://www.regina.ca/opencms/export/sites/regina.ca/residents/bylaw/.media/pdf/business-signage.pdf 	Because the patio prohibition is a provincial act, the Province of Ontario supplied us with a quantity of no-smoking signs. The signs are the same dimensions and contain the same elements as the normal no-smoking sign that is posted in our establishments. The only difference was these signs were printed on metal and came with 2 screw holes. Since these signs are posted outdoors, efforts were made to make them more durable than our traditional sticker-type signs. Typically we only supply 2-4 metal signs per premise, based on the size of the patio. That being said, we are not required to supply premises with signs.	We developed some small 4x6 inch metal signage for restaurants and bars. Then in 2015 when the Province of Ontario amended the Smoke-Free Ontario Act to include a prohibition on smoking in patios, the Ministry of Health and Long-Term Care provided municipalities with some no-smoking metal signage for patios. The businesses were very happy to get some good, solid permanent metal signs. Stickers just wash off in the rain and are a pain for that kind of use. I've attached a photo of what our signage looks like. I've also attached a bunch of documents that we developed and gave to restaurant and bar business owners to help them navigate the transition into smoke-free patios.	n/a	n/a
Do you know the number of charges that were laid in 2016 specific to patio smoking on patios?		None laid. We work within an escalating enforcement model to deal with occurrences. We will first approach with a verbal warning and then continue to inspect or send a reminder. No long form prosecutions have occurred.	In 2016, zero charges were laid specific to smoking on patios. It is important to note that our officers are trained to focus on education rather than ticketing, so they will make every attempt to gain compliance without ticketing.	Very very few...Now it's more patron controlled or owner/manager/server regulated.	The Saskatoon Police Service can only run all charges laid under the entire Tobacco Control Act, not each section separately. They were unable to provide this specific information.	The Smoking Bylaw was enacted in 2017. No charges are being laid in the first year of enforcement while we focus on public education and voluntary compliance.	Unfortunately we have no way of knowing without an in-depth review. The reason being is there is no charge that is specific to patios only. The charge for smoking on a patio is "Smoke tobacco in prohibited place or area" or "Failure of proprietor to ensure compliance with section". These charges can also be laid for offences that are not patio-based. 'Anecdotally, I can think of 1 charge off the top of my head and it's probably less than 5 charges in 2016 for patios. It's definitely miniscule when compared to other charges we lay.	I don't think we laid any charges for smoking on a patio in 2016. I think we've laid only a handful since 2012. Compliance has been extremely high right from the get-go.	n/a	n/a
Who is mandated to enforce your smoking bylaw? I.e. Bylaw officers, police, other (Edmonton & Calgary specifically)	n/a	n/a	Both Peace Officers and Police are mandated to enforce the smoking bylaw.	Police or peace officers or bylaw. Now it's our Peace Officers.	n/a	n/a	n/a	n/a	n/a	n/a
Does the City of XX also prohibit the use of e-cigarettes or vaping in outdoor patios? (Toronto & Ottawa specifically)	n/a	n/a	n/a	n/a	n/a	n/a	The City of Toronto does not currently prohibit the use of e-cigarettes or vaping on outdoor patios. The province's Electronic Cigarettes Act has a section regarding places where ecig use is prohibited, however, this section has yet to be enacted. It is anticipated that the enacted section would prohibit vaping/ecigs in most or all of the same places where smoking tobacco is currently prohibited.	We do not prohibit e-cigarettes on outdoor patios. We have been waiting for the Ontario Electronic Cigarette Act to do this for us, but the use-provision section of this Act is still waiting to be proclaimed into force by the Minister. I think they are waiting to see what the Federal Government is going to do with the Marijuana legislation. But soon enough e-cigarettes will be banned anywhere tobacco is banned in Ontario.	n/a	n/a
Additional Documents	Victoria- Bylaw	Vancouver- Bylaw	Calgary- Bylaw	Edmonton- Bylaw	Saskatoon- Bylaw	Regina- Bylaw	Toronto- Bylaw	Ottawa- Bylaw	Fredericton- Bill-75	Newfoundland-Bylaw
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Support Documentation								Backdrop Business Let's Clear the Air Booklet - Tabloid Patio sticker Patios Seven Steps Poster Patios QA Business Server Postcard		