

# TOWN OF SIDNEY



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<b>CRD EXECUTIVE OFFICE</b>		
<i>Received</i>		
<b>MAR 2 - 2012</b>		
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> GM Parks	<input type="checkbox"/> GM PPS
<input type="checkbox"/> Chair	<input type="checkbox"/> GM CS	<input type="checkbox"/> GM IWS
<input type="checkbox"/> GM ES	<i>for the agenda</i>	

*cut agenda*

File No.: 4900-02

February 22, 2012

CRD Board of Directors  
CRHD Board of Directors  
625 Fisgard Street  
Victoria BC V8W 1R7

Dear Board Members:

**Re: Request Consideration for an Amendment to Clean Air Bylaw No. 2401**

This letter is to advise that at the Regular Council meeting of February 13, 2012, the Town of Sidney Council made the following resolution:


*That Council writes to the CRD Board of Directors and CRD Board of Health requesting that consideration be given to amending the Clean Air Bylaw to include all outdoor public settings; and*

*That a copy of the report be attached.*

The above noted resolution made by the Town of Sidney Council is intended to show their level of support for a ban on smoking in all public places and further to request that consideration be given to an amendment of the CRD Clean Air Bylaw No 2401. Enclosed is a copy of the staff report that was presented to Council from our Senior Bylaw Enforcement Officer, Keith Blott.

The Town of Sidney appreciates and looks forward to the Board's consideration of this matter.

Regards,

  
Randy Humble  
Acting Chief Administrative Officer  
Director of Development Services

Attachment – Staff Report

cc: Mayor Cross  
Keith Blott, Senior Bylaw Enforcement Officer





## TOWN OF SIDNEY

### Report to Council

TO: Mayor and Council  
FROM: Keith Blott, Senior Bylaw Enforcement Officer  
DATE: February 8, 2012  
SUBJECT: Smoking Ban in Public Parks and Playgrounds

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#### PURPOSE:

The purpose of this report is to review options for making Sidney a smoke free environment in our public parks and playgrounds and making a recommendation to accomplish this goal.

#### BACKGROUND:

At the Regular Council Meeting of January 23, 2012, Council discussed the idea of expanding the current request for no smoking in Beacon Park to other parks and public spaces in the Town of Sidney. Council approved a motion, requesting Staff prepare a report on how best to proceed with this proposal.

#### DISCUSSION:

For over a year now signs have been in place at Beacon Park requesting people refrain from smoking. While there is no bylaw restricting smoking in public parks, for the most part, people have voluntarily refrained from smoking.

Currently the only bylaw enforced in the Town of Sidney, restricting smoking is the Capital Regional District (CRD) Clean Air Bylaw No. 2401. This bylaw regulates smoking as follows:

- On school property; and
- Inside a public building or means of conveyance.

This bylaw covers the entire CRD and is enforced by the Vancouver Island Health District (VIHA) as this falls outside of the Town of Sidney Bylaw Enforcement Officers legal jurisdiction.

Other municipalities in B.C. have recently enacted their own bylaw so that local bylaw enforcement officers can be tasked with enforcement. These municipalities are significantly larger and generally have a uniform presence of several bylaw officers.

At recent meetings of the CRD Board of Directors, the issue of banning smoking in public parks and space has been discussed. The general thought was rather than individual municipalities enacting their own bylaw, it would be more beneficial if agreement could be obtained, on an entire CRD ban on all outdoor public settings. The current CRD Clean Air Bylaw could be expanded to include smoking restrictions in these areas.

If we were to enact our own Town of Sidney Bylaw we would be responsible for the administration and enforcement. Currently, enforcement would be beyond our resource capacity to effectively monitor our many parks and public spaces. As well, if other municipalities follow suite and enact their own

smoking bylaw, differences would only go to create uncertainty in the public as to what is allowed and where. Accordingly it is the perspective of staff that a unified approach is more appropriate and this is achievable with the assistance and approval of the CRD Board of Directors.

Town Staff have contacted VIHA Staff and confirmed that they are eager to pursue a CRD wide ban on smoking in public parks and spaces. They feel a coordinated approach leading to an amendment to the current Clean Air Bylaw would be the best approach.

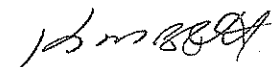
Staff recommend a regional approach to the restriction of smoking.

#### **RECOMMENDATIONS:**

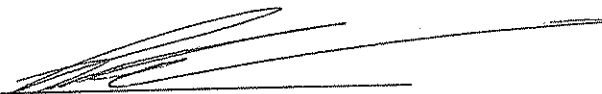
- 1) That Council writes to the CRD Board of Directors and CRD Board of Health requesting that consideration be given to amending the Clean Air Bylaw to include all outdoor public settings; and
- 2) That a copy of the report be attached.

Respectfully submitted,

concur,



Keith Blott,  
Senior Bylaw Enforcement Officer



Randy Humble,  
A/Chief Administrative Officer