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**REPORT TO THE CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, APRIL 10, 2013**

SUBJECT **Updating the Provisions of CRD Clean Air Bylaw No. 2401**

ISSUE

Recommendation from the Chief Medical Health Officer, based on newer medical evidence, to expand the Clean Air Bylaw No. 2401 to extend the prohibition of smoking of tobacco in outdoor public places such as parks, beaches and playgrounds and to extend the current provincially mandated buffer zone for smoking around doorways, open windows and air intakes from three metres to a distance of seven metres.

BACKGROUND

Currently 37,000 Canadians die annually from smoking related illness, be it cardiovascular disease, cancer, or respiratory illness. An additional 1,000 Canadians die from disease caused by exposure to second hand smoke. Tobacco smoke contains 4,000 chemicals, of which 50 are known human carcinogens. The financial toll on our health care system is estimated at \$5 billion per year in Canada. In BC, these numbers are roughly 6,000 British Columbian deaths and a \$1.5 billion yearly health care price tag.

The Capital Regional District (CRD) led the nation when the Clean Air Bylaw was implemented on January 1, 1999. When the bylaw was amended in July 2007 to restrict smoking on patios the CRD was a leader in the province. The Bylaw states that “no proprietor of a business shall permit a person to carry or have in his possession a burning cigarette or pipe containing burning tobacco...[in] any part of the business building, structure or vehicle and any area of the business place where either or both food and beverages are served or consumed, or both served and consumed.” A further provision of the Bylaw prohibiting ‘smoking on school property’ was similarly a forerunner in protecting children and youth health. This important provision has provide a platform for ongoing education about tobacco in our schools in the Capital Regional District (CRD) and has resulted in entire cohorts of students never being exposed to second hand smoke in outside of their places of learning.

There are jurisdictions on the island that have already taken action to protect the health of their constituents in the outdoor locale recommended for inclusion in the Clean Indoor Air Bylaw. Bylaws for Powell River, Tofino, City of Duncan and Nanaimo have been provided for review. Moreover, the suggested outdoor sites have now been assessed in the CRD using the same technology that provided the data supporting the 2007 amendment to the Bylaw (Sidepak) and did demonstrate measureable exposures to second hand smoke. Other benefits are captured in the Implications portion of this report. Increasing the buffer zone for smoking around doorways, open windows and air intakes to seven metres is consistent with the scientific literature in terms of minimum distance required to protect health and is the legislated

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buffer in jurisdictions across not only British Columbia but Canada (Apelberg 2012 – note: one of the authors, J. Repace, of this article presented at the Clean Air Bylaw hearings).

Strategies that comprise successful tobacco control programs include smoke free laws and policies (Office of the Surgeon General 2012).

The public when polled have supported such action to protect health and evaluation of such regulation has shown it remained favourable with the majority and was enforceable (Clean Air Coalition 2012).

BENEFITS

PUBLIC HEALTH

- Over 1000 Canadians are estimated to be killed by second-hand smoke every year. This is still very relevant when smoking is occurring outdoors. Studies have shown that outdoor tobacco smoke particle concentrations measured near active sources over the course of one or more cigarettes can be comparable with average well mixed indoor second hand smoke particle levels. Additionally, second hand smoke from a single active cigarette was detectable greater than four metres away outdoors. This number may increase depending on the amount of active smokers (Kelpis 2012).
- If even a few cigarette butts are eaten by a small child or a pet, nicotine poisoning can result. A 1997 report from the Rhode Island Department of Health reported 146 cases of cigarette butt ingestion among children less than 6 years old; of these, approximately one-third displayed transient nicotine toxicity. (CDC 1997)

SOCIAL AWARENESS AND BEHAVIOUR MODIFICATION

- Canadians overwhelmingly believe that cigarette smoke is harmful to the non-smoker.
- Smoke free outdoor spaces de-normalize the behaviour and decrease negative role modeling to children and youth (Wakefield 2000).
- Youth are vulnerable to social and environmental influences to use tobacco and youth exposed to smoking as the social norm are more likely to smoke. Nearly 9 out of 10 smokers started smoking by age 18, and 99% started by age 26. Among youth who persist in smoking, a third will die prematurely from smoking (Office of the Surgeon General 2012).
- Smoke free public places provide a supportive environment for people who may wish to stop smoking may assist them to cut back or stop completely (Forsythe 2010).

ENVIRONMENTAL QUALITY

- Smoke free spaces reduce litter. Cigarette butts are the most common kind of litter in the United States and the most littered item in the world. “Discarded cigarette butts are a form of non-biodegradable litter. Carried as runoff from streets to drains, to rivers, and ultimately to the ocean and its beaches, cigarette filters are the single most collected item in international beach cleanups each year.” (Novotny 2009)
- Smoke free spaces reduce cleanup. In the Great Canadian Shoreline Cleanup (2011), cigarettes were the number one collected item of rubbish.
- Cigarette filters can take up to 10 years to break down and they contain dangerous chemicals.
- Outdoor smoking increases the risk of fire, particularly in wooded and grassy parks, which there is an abundance of in the CRD. “A cigarette-caused fire is responsible for one of the largest forest fires in Canadian history, which was started by a discarded cigarette in BC in 2003. Some 70 plus homes and tens of thousands of hectares of forest were destroyed in the Kamloops area.” The cost of forest fires due to smoking in Canada was 26 million dollars in 2002 (Strizzi 2010).

ECONOMIC CONSIDERATIONS

- Reduced cost for cleanup of CRD parks and beaches.
- Potential reduction in cost for emergency response to fire caused by discarded cigarettes in outdoor park and beach areas.

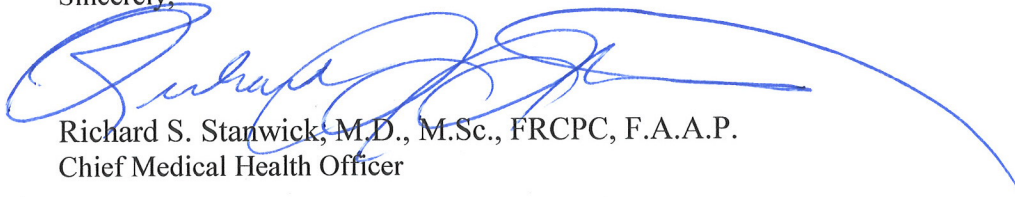
POLITICAL IMPLICATIONS

- Many other municipalities within BC have already enacted bylaws related to smoke free outdoor places and expanding the buffer zone.
- 90% support in the CRD for smoke free bylaws (2005 Ipsos Reid Survey).
- 74% support in Victoria to expand the provincial buffer zone (2009 Angus Reid Public Opinion Survey).

CONCLUSION

The Chief Medical Health Officer strongly recommends that the CRD consider expanding the Clean Air Bylaw to address the issue of smoking in outdoor public spaces. There is significant public support to expand the CRD Bylaw to prohibit smoking in outdoor public places such as beaches, parks, sports fields, and playgrounds and to extend the three metre buffer zone for smoking near doorways, open windows and air intakes to seven metres. By expanding the bylaw, there will be a variety of positive outcomes including: reduced exposure of the public to second-hand smoke with the primary intended benefactors being children and youth along with individuals with conditions aggravated by second hand smoke, decreased positive role modeling of smoking to children and youth in public settings, reduced litter and clean-up of cigarette butts, protection of the environment, reducing the possibility of poisoning of small children and pets from ingesting cigarette butts and generally make our various recreational sites even more appealing.

Sincerely,



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Chief Medical Health Officer

Attached: References

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