

Policy Regulating Tobacco Use at HRM owned Outdoor Recreation Facilities **Frequently Asked Questions**

What is HRM's Policy on tobacco use?

The Policy Restricting Tobacco Use at HRM Owned Outdoor Facilities prohibits smoking and the use of tobacco products at all HRM owned and administered sport fields and courts, beaches, playgrounds, outdoor rinks, swimming pools, spray parks, skateboarding parks, BMX parks, onsite canteens and public washrooms. The same restrictions will also apply at Point Pleasant Park, and Hemlock Ravine Park.

What tobacco products are included in the restrictions?

All tobacco products fall under the restriction including: cigarettes, cigarillos, cigars, pipes, chewing tobacco and other tobacco products.

What HRM owned properties are exempt from the policy (i.e. Parade Square)?

The policy applies to all outdoor recreation facilities that are owned and administered by HRM. Locations where large outdoor events are held including Parade Square and Alderney Landing are currently not covered by the policy. For a complete listing of the locations covered by the new policy, please visit www.halifax.ca.

How and who enforces HRM's policy on tobacco use?

The policy falls under the Protection of Property Act and requires that signs be posted in areas where the policy applies so people know how to comply with the policy (not smoke or use other tobacco products). We hope to have 450 signs installed by the fall of 2010. Signs will be installed on a priority basis by HRM staff over the next four years due to budget restraints and the cost of signage.

The goal of this policy is to change the culture of tobacco use in outdoor recreation facilities in HRM and this takes time. People who use tobacco in HRM assisted in the design and wording of the outdoor sign posted at HRM owned recreation facilities so it would be effective with people who use tobacco.

HRM will use communication tools such as the HRM website, Recreation Program Catalogue, events announcements and advertising to increase public awareness of the policy and what behaviour is required to comply with it at outdoor recreation facilities. Within a year of using the same approach in another Nova Scotia municipality there was high awareness and compliance among those who use tobacco.

Where HRM staff and park patrol are present, they will make people using tobacco aware of the policy, and ask them to stop using tobacco or leave HRM owned and administered facilities until they are done. If the situation escalates, police may be called. Offenders of the policy can be prosecuted under the NS Protection of Property Act, S.3(1).

Where will signage about HRM's tobacco use policy be posted? How long will it take to get the signs up?

HRM hopes to have 450 signs installed by the fall of 2010 at HRM owned and administered outdoor recreation facilities. The remaining signs will be installed over the next four years due to budget restraints and the cost of producing such signage.

Signs will be installed on a priority basis by HRM staff. The size and placement of signs will reflect existing HRM standards. Where signage protocols are in place such as HRM Recreation Services' "way finding and identity program", No Smoking or Tobacco Use messaging will be included in accordance with existing design. Signs and other awareness material will display the universal No Smoking logo.

Why are we posting signs on HRM owned property if we are not enforcing the policy?

Clear and visible signage is key to effectively changing tobacco use and has been effective in other municipal units in Nova Scotia, Canada and the world. As part of the regulatory requirements for enforcement of the Policy, onsite signage prohibiting smoking must be posted. The signs inform citizens and visitors that a particular area is smoke-free and many people do comply with policies and by-laws when they know what behaviour is required.

Signage can also support individuals who wish to point out to others using the property that it is a tobacco free space.

I am not happy with the lack of enforcement of smoking on HRM property, who can I speak with?

We are changing the culture of tobacco use outdoors within HRM and this takes time. We will continue to promote the policy and post visible signs so people are aware that tobacco use is no longer permitted at outdoor recreation facilities. However, it is not possible to enforce this policy in areas where HRM staff are not present.

What is the difference between HRM's Tobacco Restriction Policy versus the Provincial Smoke Free Places Act?

HRM's Policy is specific to HRM owned and administered outdoor recreation facilities. It prohibits smoking and the use of chew tobacco.

Policies like HRM's have been shown to:

1. Prevent young people from starting to use tobacco products
2. Protect everyone from second-hand smoke
3. Support people who want to stop using tobacco products
4. De-normalize tobacco in our society which further prevents use and supports people not using tobacco

The Nova Scotia Smoke Free Places Act does not allow smoking within enclosed places, on school grounds, the outdoor area of a restaurant or a place licensed to serve alcoholic beverages if that area is used for the serving or consumption of food or beverages, vehicles where children are present and within four metres of an air intake for a building ventilation system, an open window of a place of employment or an entrance to a place of employment.

When should I call HRM versus the Province for the enforcement of no smoking in public places?

HRM is only responsible for enforcing smoking in HRM owned or administered outdoor recreational facilities. Smoking in enclosed public places or near doors, windows and air intakes falls under the Provincial Smoke-Free Places Act. After speaking with the manager of an enclosed space, school ground, or building where people are employed you do not see evidence of a change in the level of smoking, you may call the Province to enforce the Smoke-Free Places Act at 1-800-565-3611.

How does HRM's Policy on tobacco use relate to the Protection of Property Act; as listed on signs posted on HRM property?

Nova Scotia's Protection of Property Act, S.3(1) contains the regulatory power required for municipalities to prohibit certain activities on their owned property provided notice of such prohibition has been posted. Therefore, HRM can enforce its Policy under this existing Act. Section 3(1) of the Protection of Property Act states that any person that dumps or deposits material on premises, or engages in an activity prohibited on the premises by posted notice, is guilty of an offense and may be fined up to \$500 through a summary conviction. The Province does not enforce municipal policies under the Act .

Who do I call regarding smoking outdoors near Metro Transit Terminals?

Presently, there is no by-law or policy that applies to smoking outdoors near transit terminals and shelters in HRM. Please email contactHRM@halifax.ca or write Metro Transit, Halifax Regional Municipality, 200 Ilsley Avenue, Dartmouth, Nova Scotia, B3B 1V1 to make Metro Transit aware of your concern.