



August 16, 2011

Dr. Isra Levy
Medical Officer of Health
Ottawa Public Health
100 Constellation Crescent
Ottawa, ON K2G 6J8

Re: Smoke-Free Bylaw for Outdoor Spaces in the City of Ottawa

Dear Dr. Levy:

The Ottawa Council on Smoking and Health (OCSH) is a local volunteer group that aims to protect individuals from second-hand smoke (SHS); to prevent youth from starting to smoke; to encourage smokers to quit; and to advocate for better smoking cessation resources.

We recognize Ottawa Public Health for its public education campaign on SHS in outdoor spaces and for its work with community associations and the restaurant industry to promote smoke-free parks and patios.

We are writing to inquire about Ottawa Public Health's timelines for recommending a smoke-free bylaw for outdoor spaces in the City of Ottawa, effective Spring 2012.

The OCSH urges the City of Ottawa to make the following spaces 100% smoke-free:

1. Restaurant and bar patios
2. Parks
3. Playgrounds
4. Beaches
5. Recreational playing fields and sports fields
6. Post-secondary school campuses
7. Construction sites
8. Hospital properties
9. Municipal properties
10. Outdoor spectator events, festivals, fairs
11. Fruit and vegetable markets
12. Property within 9 meters of doorways to multi-unit dwellings, public buildings and municipal buildings
13. Hotels, motels, and bed and breakfast establishments.

We also request that the City of Ottawa prohibit the smoking of **all** other products with or without tobacco that are intended for smoking (*e.g.* hookah pipes) in all indoor work places and public places, as well as in all of the outdoor spaces listed above.

We urge the City of Ottawa to implement these new smoke-free regulations by Spring 2012.

Scientific Evidence Regarding SHS in Outdoor Spaces:

The 2010 U.S. Surgeon General Report “substantiates the evidence that there is no safe level of exposure to cigarette smoke. When individuals inhale cigarette smoke, either directly or second-hand, they are inhaling more than 7,000 chemicals: hundreds of these are hazardous, and at least 69 are known to cause cancer.”ⁱ Exposure to SHS increases the risk of sudden infant death syndrome (SIDS), behavioural and cognitive problems in infants and children, ear infections, respiratory infections, asthma attacks, lung cancer, and heart disease.

The California Air Resources Board recognizes SHS as a “toxic air contaminant.”ⁱⁱ Another study found that “short-term exposures to outdoor SHS might be life threatening for high-risk persons, since the human cardiovascular system is very sensitive to second-hand smoke.”ⁱⁱⁱ This study warns that:

“... levels of SHS might be high on an outdoor patio, sitting at a table next to a smoker at a sidewalk café, sitting next to a smoker on a park bench, or standing near a smoker outside a building. Children who accompany a smoking parent or guardian may experience substantial exposure. Outdoor restaurant or pub workers who spend a significant portion of their time within a few feet of active smokers are also likely to receive relatively large total outdoor tobacco smoke exposures over the course of a day – possibly exceeding the USEPA 24-hr health standard for fine particles.”^{iv}

Exposure to SHS remains a significant public health issue in our community. The OCSH continues to receive telephone calls and emails from individuals who are involuntarily exposed to SHS in both indoor and outdoor spaces. Furthermore, a scientific study conducted by Dr. Ryan Kennedy in August 2010 found hazardous levels of SHS on some restaurant and bar patios in Ottawa. This study also found that the average levels of hazardous pollutants in SHS in outdoor spaces can be comparable to those measured indoors when people smoke.^v Details on this study are available in Appendix A.

A 2010 report by the Tobacco Strategy Advisory Group (TSAG) to the Ontario Minister of Health Promotion and Sport recommended smoke-free patios, playgrounds, motels, hotels, inns, and doorways to protect the public from SHS.^{vi} Just as importantly, TSAG recommended “an effective level of enforcement to ensure that current and future laws to protect people from second-hand smoke are respected.”^{vii}

Ottawa Has Fallen Far Behind Other Canadian Municipalities:

Ten years ago, the City of Ottawa became an international leader in tobacco control by passing the smoke-free bylaws for indoor work places and public places. Our bylaws served as a model for communities across Canada and the world. As a result, about 85% of Ottawa residents are non-smokers.

However, over the years, the City of Ottawa has fallen far behind a growing number of municipal and provincial jurisdictions across Canada that have successfully implemented smoke-free bylaws for patios (*e.g.*, Vancouver, Victoria, Saskatoon, Kingston, and Woodstock, in addition to all of Newfoundland and Labrador, Nova Scotia, Alberta and the Yukon), and for parks and playgrounds (*e.g.*, Vancouver, Whistler, Calgary, Saskatoon, Toronto, Belleville, Barrie, Cornwall, Peterborough, Thunder Bay and Woodstock).

One in 5 Canadians lives in a community where they are protected from SHS on patios.^{viii} The time has come for Ottawa residents to have the same level of protection from SHS in outdoor spaces as residents in other communities across Canada.

The Ontario municipalities of Woodstock, Kingston and Thunder Bay have strong smoke-free bylaws for outdoor spaces. These three bylaws are available in Appendixes B, C, and D. Also, a summary of outdoor smoke-free bylaws in Canada is available in Appendix E.

Ottawa Residents Support Smoke-Free Outdoor Spaces:

The OCSH has strong evidence of community support for this public health initiative. We organized a public education campaign from August 2010 to May 2011. About 500 individuals completed our online poll on smoke-free outdoor spaces. The public's response was overwhelmingly positive in support of smoke-free patios, parks, sports fields, beaches, and within 9 meters of doorways of public and municipal buildings. The results from our online poll are available in Appendix F.

The OCSH is continuing its public education campaign this summer. To date, more than **2,000** individuals have signed postcards in support of a smoke-free bylaw for outdoor spaces.

Smoke-Free Spaces Help Smokers Quit:

Smoking is the leading cause of death and disability in Ontario. Studies show that smoke-free spaces provide a supportive environment for smokers who wish to quit, cut down or remain smoke-free. Smoke-free spaces also reduce the social acceptability of smoking so that fewer youth and young adults take up smoking.

An evaluation of the City of Woodstock's outdoor smoke-free bylaw found that both smokers and non-smokers strongly supported the bylaw and that the bylaw did not negatively affect the use of parks and recreation fields.^{ix} Furthermore, this study found that "...one third of smokers

reported that the outdoor by-law helped them to cut down how much they smoke and almost a fifth of smokers reported that the by-law has made them more likely to quit smoking. Approximately half of the quitters in the sample also reported the by-law helped them to stay quit.”^x

Environmental Burden of Cigarette Butts:

Tobacco Control, an international peer-reviewed journal for health professionals and others in tobacco control, recently dedicated an entire issue to the human health and environmental costs of butt litter.^{xi} A smoke-free bylaw for outdoor spaces will help to reduce litter from cigarette butts that contaminate sandboxes, parks, beaches and waterways, thereby protecting children, pets and wildlife.^{xii}

The City of Ottawa’s Duty to Protect:

One of the strategic priorities set by the Ottawa Board of Health for 2011-2014 includes “improving the quality of life for Ottawa’s residents by expanding smoke-free spaces.”^{xiii} The OCSH strongly believes that the City of Ottawa has a duty to protect Ottawa residents from exposure to SHS and that the Board of Health should implement this strategic priority by Spring 2012. The OCSH supports the Ottawa Board of Health on this public health initiative.

We await your written response to our request to start the process for a smoke-free bylaw for outdoor spaces in the City of Ottawa. We also look forward to meeting with you to discuss this important public health issue.

Yours Sincerely,

Suzanne Friedlaender
President
Ottawa Council on Smoking and Health

cc:

Councillor Diane Holmes, Chair of the Ottawa Board of Health

Members of the Ottawa Board of Health: Councillor David Chernushenko, Councillor Mathieu Fleury, Dr. Merrilee Fullerton, Councillor Jan Harder, Councillor Katherine Hobbs, Timothy Hutchinson, Dr. Atul Kapur (Vice-Chair), Margarite Keeley, Councillor Maria McRae, Gisèle Richer

APPENDIXES

- A. Dr. Ryan Kennedy. Smoke-Free Patios: A Study of Air Quality on Patios that Permit or Restrict Smoking in the City of Ottawa (August 25, 2010).
- B. City of Woodstock: Smoke-Free Work Places and Public Places Bylaw (June 2008).
- C. A Bylaw to Regulate Smoking in Public Places and Work Places in the City of Kingston (October 2002).
- D. By-law Number 052-2010: A By-law to repeal the City of Thunder Bay's prior Smoking Prohibition By-law (Number 34-2004) and to enact a replacement by-law that contains only those prohibitions that are more restrictive than the ones set out in the *Smoke Free Ontario Act, 1994* (S.O. 1994, c. 10, as amended) (April 2010).
- E. Non-Smokers' Rights Association. Smoke-Free Bylaw Provisions in Canada Exceeding Provincial/Territorial Legislation (Winter 2011).
- F. Ottawa Council on Smoking and Health. Online Survey Results of the Smoke-Free Outdoor Spaces Campaign (June 10, 2011).

NOTES

ⁱ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease. A Report of the Surgeon General. Executive Summary.* (Atlanta, GA, 2010), iii. www.surgeongeneral.gov/library/tobaccosmoke/report/executivesummary.pdf

ⁱⁱ California Air Resources Board. *California Identifies Secondhand Smoke as a "Toxic Air Contaminant."* News Release (January 26, 2006). www.arb.ca.gov/newsrel/nr012606.htm

ⁱⁱⁱ Klepeis N, Ott W, et al. *Real-Time Measurement of Outdoor Tobacco Smoke Particles.* Journal of Air & Waste Management Association; May 1, 2007: 57:14. www.tobaccosmoke.exposurescience.org/files/private/Klepeis_etal_OTIS_Preprint.pdf

^{iv} Klepeis, *Real-Time Measurement*, 14.

^v Dr. Ryan Kennedy, PhD., *Smoke-Free Outdoors: A Positive Step that the City of Ottawa Can Take to Protect Children, Hospitality Workers and the Community from Tobacco Smoke.* (Ottawa, August 25, 2010). www.smokefreeottawa.com/2006-en/pdfs/newsConferenceBackgrounder.pdf

^{vi} Tobacco Strategy Advisory Group. *Building on our Gains, Taking Action Now: Ontario's Tobacco Control Strategy for 2011-2016.* (Ontario, October 18, 2010), 40. www.mhp.gov.on.ca/en/smoke-free/TSAG%20Report.pdf

^{vii} Tobacco Strategy Advisory Group, *Building on our Gains*, 40.

^{viii} Physicians for a Smoke-Free Canada. *Smoke-Free Patios.* (Ottawa, August 2010). www.smoke-free.ca/pdf_1/2010/smoke-free-patios-population.pdf

^{ix, x} Dr. Ryan Kennedy. *Evaluation of the City of Woodstock's Outdoor Smoking By-law: A Longitudinal Study of Smokers and Non-Smokers.* A thesis presented to the University of Waterloo in fulfillment of the thesis requirement for the degree of Doctor of Philosophy in Psychology. (Waterloo, 2010), 197. www.uwspace.uwaterloo.ca/bitstream/10012/5397/3/RDK_final_GSO_2ndrevision.pdf

^{xi} Tobacco Control. *The Environmental Burden of Cigarette Butts.* May 2011:20. www.tobaccocontrol.bmj.com/content/20/Suppl_1.toc

^{xii} Novotny, T. E., Hardin, S.N., et al. *Tobacco and cigarette butt consumption in humans and animals.* Tobacco Control. May 2011:20 (Suppl 1), i19. www.tobaccocontrol.bmj.com/content/20/Suppl_1/i17.full.pdf

^{xiii} Ottawa Board of Health. *Strategic Priorities 2011-2014.* (Ottawa, July 11, 2011), 1. www.ottawa.ca/calendar/ottawa/citycouncil/obh/2011/07-11/doc%201.pdf