



Ottawa Council on  
Smoking or Health

Conseil d'Ottawa sur le  
tabagisme ou la santé

# Expanding the City of Ottawa's Smoke-Free Indoor and Outdoor Bylaws to Prohibit the Smoking and Vaping of Marijuana, Electronic Cigarettes, and Other Lit, Heated and Combustible Products

Ottawa Board of Health

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Presented by Carol McDonald, Carmela Graziani, Janice Forsythe

[www.smokefreeottawa.com](http://www.smokefreeottawa.com)

## Ottawa Public Health's Report to the Board of Health re: Legalization of Marijuana

- The OCSH supports OPH's recommendations to the federal government to:
  - Regulate edible cannabis products to protect children.
  - Create a public awareness campaign about the health risks of edible products.
  - Require warnings, plain packaging, and labelling with the THC level.

# Ottawa Public's Health Report to the Board of Health re: Legalization of Marijuana

- The OCSH is surprised that OPH's report did not:
  - State that 22% of Canadian youth aged 15-19 years smoke marijuana.<sup>1</sup>
  - Provide scientific evidence about the health risks associated with exposure to second-hand marijuana smoke.
  - Recommend that the City of Ottawa prohibit marijuana smoking anywhere tobacco smoking is prohibited, both indoors and outdoors.
  - Recommend a public awareness campaign about the health risks of second-hand marijuana smoke.

<sup>1</sup>Statistics Canada. Canadian Tobacco Alcohol and Drugs (CTADS): 2013 summary. Accessed June 15, 2017.  
<https://www.canada.ca/en/health-canada/services/canadian-tobacco-alcohol-drugs-survey/2013-summary.html>

# Gaps in Bill 178, Smoke-Free Ontario Amendment Act, 2016

- Bill 178: “No person shall smoke a prescribed product or substance or hold a lighted prescribed product or substance, in any enclosed public place, in any enclosed workplace...”<sup>2</sup>
- Gaps in Bill 178:
  - This regulation has not come into effect.
  - It does not prohibit non-medical marijuana smoking.
  - It does not ban the smoking of any other weed or substance wherever tobacco is smoked (e.g., new heat-not-burn products created by the tobacco industry).

<sup>2</sup>Bill 178, Smoke-Free Amendment Act, 2016. Accessed June 15, 2017.

[http://www.ontla.on.ca/web/bills/bills\\_detail.do;jsessionid=fe428d3084da0c6b3ecff2f1cc2b20d9d656481f47ddca63e7273cff9c8141c9.e34QbNyOaxmRci0TbxiOah4Lbh10n6jAmljGr5XDqQLvpAe?locale=en&BillID=3796&isCurrent=false&ParlSessionID=41%3A1](http://www.ontla.on.ca/web/bills/bills_detail.do;jsessionid=fe428d3084da0c6b3ecff2f1cc2b20d9d656481f47ddca63e7273cff9c8141c9.e34QbNyOaxmRci0TbxiOah4Lbh10n6jAmljGr5XDqQLvpAe?locale=en&BillID=3796&isCurrent=false&ParlSessionID=41%3A1)

# Still No Protection From Second-Hand Vapour Under Ontario's Electronic Cigarettes Act, 2015

- The Electronic Cigarettes Act came into force on January 1, 2016.<sup>3</sup>
- A year-and-a-half later, the prohibition on the use of electronic cigarettes in “enclosed workplaces, enclosed public places and certain other places”<sup>4</sup> still has not come into force.

<sup>3</sup>Smoke-Free Ontario. Vendor Training. Electronic Cigarette Act. Accessed June 15, 2017.  
<http://www.sfoa-training.com/electronic-cigarettes-act/>

<sup>4</sup>Bill 45, Making Healthier Choices Act, 2015. Schedule 3, Electronics Cigarette Act, 2015.  
[http://www.ontla.on.ca/web/bills/bills\\_detail.do?BillID=3080](http://www.ontla.on.ca/web/bills/bills_detail.do?BillID=3080)

## Protecting the Public and Workers from Second-Hand Smoke and Vapour from Marijuana, Electronic Cigarettes, and Heat-Not-Burn Products

- The City of Ottawa set the standard in protecting the public and workers from second-hand smoke inside public places and workplaces in 2001, and in outdoor spaces in 2012.
- This provided momentum for the province of Ontario to enact and proclaim smoke-free indoor laws in 2006 and smoke-free outdoor laws in 2015.
- Ottawa residents and workers cannot wait another five years for the province to protect them from second-hand smoke from marijuana, and from second-hand vapour from electronic cigarettes, and heat-not-burn products.

# Protecting the Public and Workers from Second-Hand Marijuana Smoke

- Why wait for the legalization of marijuana in 376 days (July 2018)?
- The OCSH urges the City of Ottawa to:
  - Strengthen the smoke-free indoor and outdoor bylaws by prohibiting the use of **all other weeds and substances that can be smoked, lit, burned, heated, vaped, or combusted, including marijuana.**
  - Follow the advice of Dr. Richard Stanwick, Chief Medical Officer of Health of BC's Island Health, and create a **smoke-free buffer zone around entranceways to all public places, workplaces, and transit stops.**<sup>5</sup>
  - Gaps in Ottawa's indoor and outdoor smoke-free bylaws lead to confusion and enforcement difficulties, and they need to be closed.

<sup>5</sup>Cleverley, B. "Smokers at Parks, Bus Stops Could Face Fines," The Times Colonist, May 26, 2017.

<http://www.timescolonist.com/news/local/smokers-at-bus-stops-parks-could-face-fines-1.20212065#sthash.BRsKel68.dpuf>

# Protecting the Public and Workers from Second-Hand Marijuana Smoke

***“We will be definitely moving forward on this, because it’s going to be causing health issues.”***

Dr. Richard Stanwick, Chief Medical Officer of Health, Island Health (Vancouver Island), on second-hand marijuana smoke<sup>6</sup>

<sup>6</sup>Cleverley, B. “Smokers at Parks, Bus Stops Could Face Fines,” The Times Colonist, May 26, 2017.

<http://www.timescolonist.com/news/local/smokers-at-bus-stops-parks-could-face-fines-1.20212065#sthash.BRsKel68.dpuf>

# Protecting the Public and Workers from Second-Hand Marijuana Smoke

- Marijuana smoke contains 33 of the same carcinogens that are in tobacco smoke.<sup>7</sup>
- Tobacco smoke contains 70 carcinogens.<sup>8</sup>

<sup>7</sup>Tomar RS, Beaumont J, Hsieh, J. Evidence on the Carcinogenicity of Marijuana Smoke. California Environmental Protection Agency. August 2009. <https://oehha.ca.gov/media/downloads/proposition-65/chemicals/finalmjSmokehid.pdf>

<sup>8</sup>Health Canada. Carcinogens in Tobacco Smoke. March 29, 2011. <https://www.canada.ca/en/health-canada/services/publications/healthy-living/carcinogens-tobacco-smoke.html>

## Protecting the Public and Workers from Second-Hand Marijuana Smoke

***“The inhalation of smoke is harmful to lung health as the combustion of materials releases toxins and carcinogens. These are released regardless of the source—whether it is burning wood, tobacco or marijuana.”<sup>9</sup>***

<sup>9</sup>The Lung Association. Position Statement. Marijuana and Lung Health. April 13, 2017.

<https://www.lung.ca/news/advocacy-tools/our-position-statements/marijuana-position-statement>

## Protecting the Public and Workers from Second-Hand Smoke and Vapour from Marijuana, Electronic Cigarettes, and Heat-Not-Burn Products

- The City of Ottawa faces an urgent need to strengthen the smoke-free indoor and outdoor bylaws:
  - Students are smoking marijuana as much as tobacco.<sup>10</sup>
  - Students are using electronic cigarettes to vape opioids,<sup>11</sup> which is contributing to the opioid crisis.
  - The tobacco industry is pushing new heat-not-burn products. These new cigarette devices heat tobacco, create an aerosol that is inhaled through the mouth, and emit carbon monoxide.<sup>12</sup>
  - The cannabis industry is ramping up production.

<sup>10</sup>Propel Centre for Population Health Impact, University of Waterloo. Just as many teenagers use cannabis as smoke cigarettes. May 8, 2017. <https://uwaterloo.ca/propel/news/just-many-teenagers-use-cannabis-smoke-cigarettes>

<sup>11</sup>Jennifer Hamilton-McCharles, "Do you know what your kids are vaping?" The Nugget. May 23, 2017. <http://www.thesudburystar.com/2017/05/23/do-you-know-what-your-kids-are-vaping>

<sup>12</sup>Chaiton M. Schwartz R. Heat-Not-Burn Tobacco Products: Claims and Science. Ontario Tobacco Research Unit Update. November 2016. [http://otru.org/wp-content/uploads/2016/11/update\\_nov2016.pdf](http://otru.org/wp-content/uploads/2016/11/update_nov2016.pdf)

## Triple Whammy of Second-Hand Smoke and Vapour from Tobacco, Marijuana and Electronic Cigarettes

- The OCSH deals with ongoing complaints about:
  - Second-hand tobacco smoke and second-hand marijuana smoke in multi-unit housing;
  - Second-hand marijuana smoke in outdoor public places; and
  - Vaping in public places and workplaces.

## Protecting the Public and Workers from Second-Hand Marijuana Smoke and Second-Hand Vapour

- Dozens of Canadian communities have adopted bylaws prohibiting the use of **other weeds and substances** in public places and workplaces, including: Windsor, ON; Cobalt, ON; Kentville, NS; Regina, SK; Red Deer, AB; Vancouver, BC; Kelowna, BC; Prince George, BC.<sup>13</sup>
- The City of Victoria plans to prohibit marijuana smoking inside and outside public places and workplaces.<sup>14</sup>

<sup>13</sup>Non-Smokers' Right's Association. Smoke-Free Laws Database. Accessed June 17, 2017. <http://database.nonsmokersrights.ca>

<sup>14</sup>Cleverley, B. "Smokers at Parks, Bus Stops Could Face Fines," The Times Colonist, May 26, 2017.

<http://www.timescolonist.com/news/local/smokers-at-bus-stops-parks-could-face-fines-1.20212065#sthash.BRsKel68.dpuf>

## Protecting the Public and Workers from Second-Hand Smoke and Vapour from Marijuana, Electronic Cigarettes, and Heat-Not-Burn Products

- When the City of Ottawa adopts bylaws to protect the public and workers, it enables the province to take action:
  - 2001 City of Ottawa smoke-free indoor bylaws
  - 2012 City of Ottawa smoke-free outdoor bylaws.
- Only **376 days** left until the federal government legalizes marijuana.
- Time is running out to enact and enforce a municipal bylaw to protect Ottawa residents, workers, vulnerable populations (e.g., children, youth, seniors, individuals with lung disease) before the federal government legalizes marijuana!