

Smoke and vape-free outdoor public places: BC's municipal momentum

Clean Air Coalition Knowledge Exchange, December 6, 2016



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Overview

- The case for smoke and vape-free outdoor public places
- BC's tobacco bylaw landscape
- Municipal endorsement for provincial legislation
- Tools for municipalities
- Survey findings: from BC's jurisdictions with tobacco bylaws



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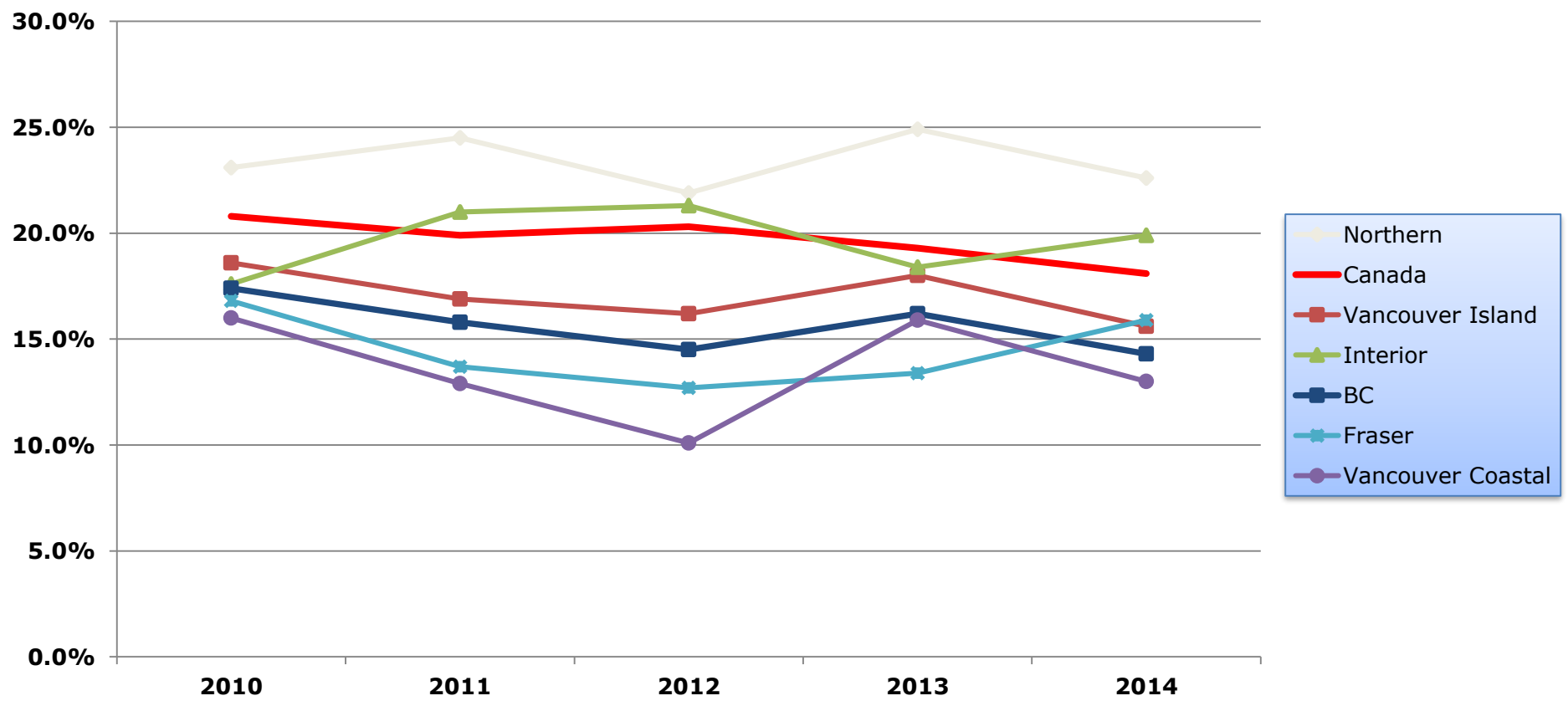
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Smoking Rates by BC Health Authority





Smoke and vape-free places:

1. Protect from second-hand smoke

There is no safe level of exposure to second-hand smoke





Smoke and vape-free places:

2. Positive Role Modelling



Picture source: City of Kimberley website

31% of BC youth (grade 10-12) have tried cigarettes

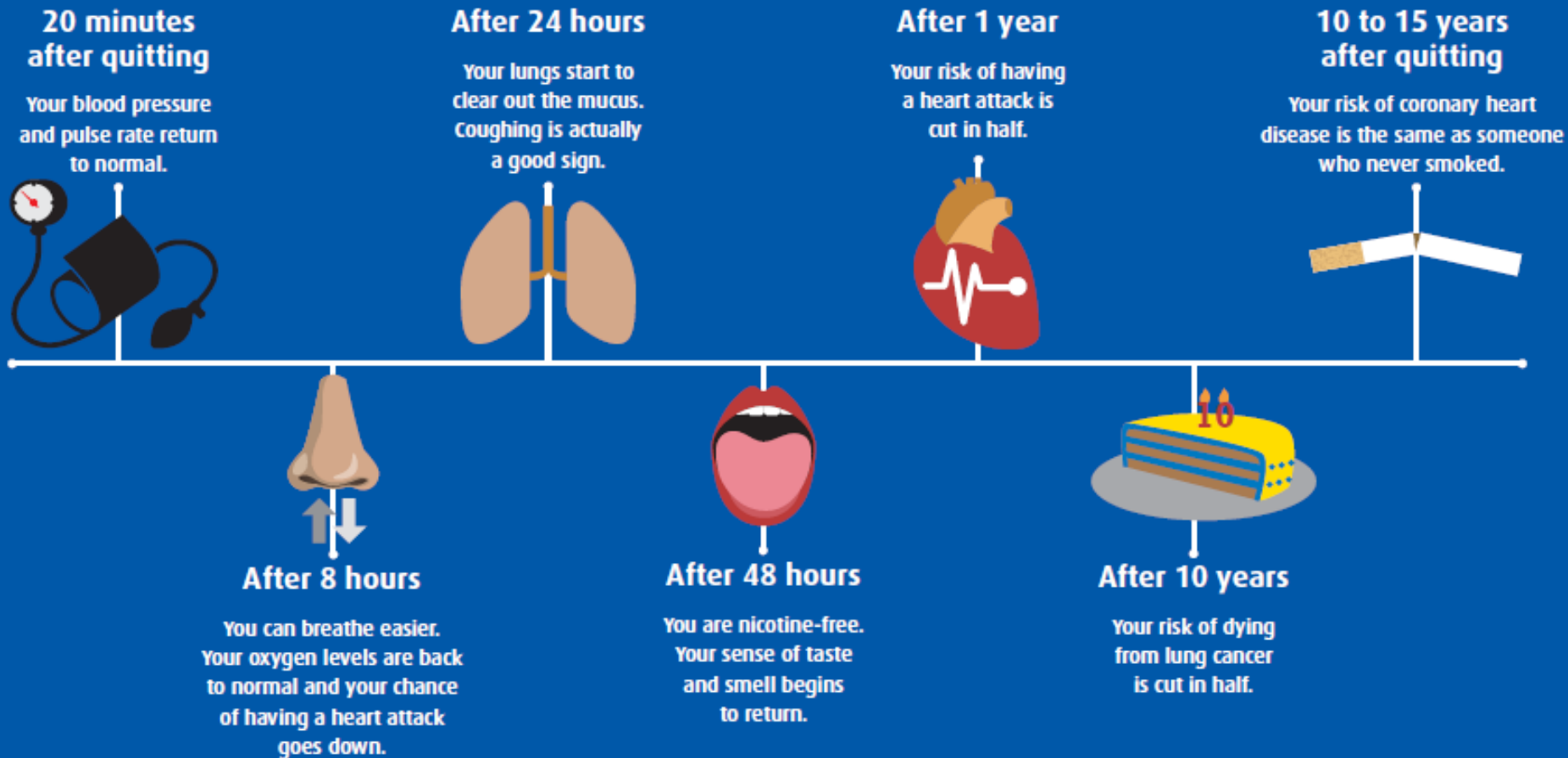
27% of Canadian youth (grade 10-12) have tried e-cigarettes

Source: CSTADS 2014/15



Smoke and vape-free places:

3. Motivation to Quit Smoking





Smoke and vape-free places:

4. Positive Environmental Impact

Cigarettes butts the most littered item in BC

Source: 2015 Great Canadian Shoreline Cleanup





Recommended bylaws

Prohibit smoking and vaping:

- on bar and restaurant patios
- on all city-managed properties, including:
parks, playgrounds, trails, plazas, beaches,
playing fields, recreation facilities and venues
- within a buffer zone of at least 7.5 metres (best
practice 9 metres) of the above mentioned and
doors, windows and air intakes of public buildings



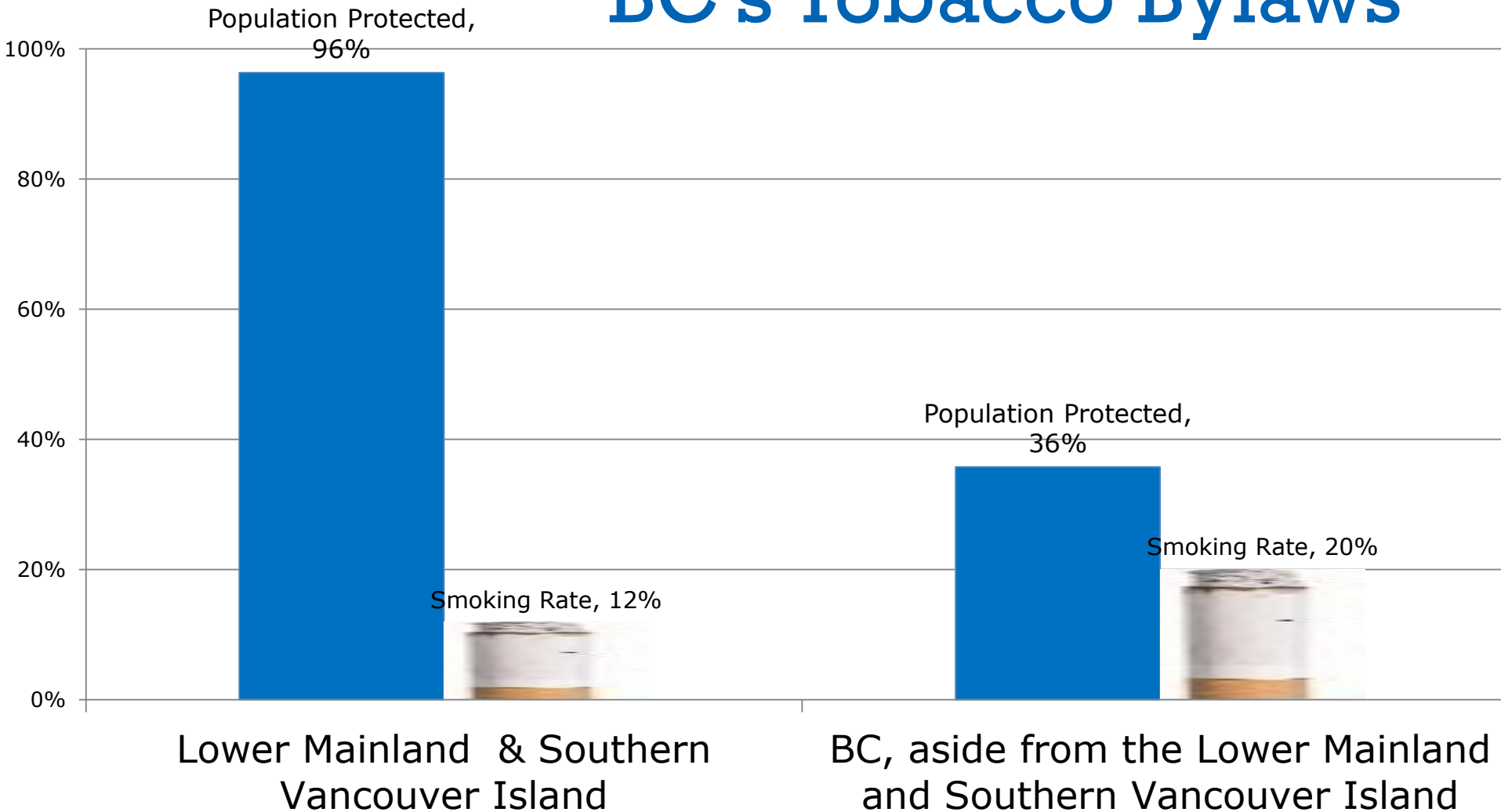
Tobacco-bylaw protection

- | | | |
|-----------------------------|--------------------------------|------------------------------|
| 1. Abbotsford# | 25. Langley City* | 49. Revelstoke# |
| 2. Anmore Village* | 26. Langley Township | 50. Richmond*# |
| 3. Belcarra# | 27. Lions Bay | 51. Saanich*# |
| 4. Bowen Island | 28. Lumby#~ | 52. Salmon Arm# |
| 5. Burnaby | 29. Maple Ridge*#~ | 53. Sicamous, District# |
| 6. Castlegar#~ | 30. Metchosin*# | 54. Sidney*# |
| 7. Central Saanich*# | 31. Mission# | 55. Sooke*# |
| 8. Chilliwack#~ | 32. Nakusp# | 56. Squamish*# |
| 9. Colwood*# | 33. Nanaimo# | 57. Summerland~# |
| 10. Coquitlam*# | 34. New Westminster*# | 58. Surrey* |
| 11. Dawson Creek*# | 35. North Saanich# | 59. Tofino |
| 12. Delta*#~ | 36. North Vancouver, City*# | 60. Tsawwassen First Nations |
| 13. Duncan# | 37. North Vancouver District*# | 61. Ucluelet* |
| 14. Electoral Area A | 38. Oak Bay*# | 62. Vancouver*~ |
| 15. Esquimalt*# | 39. Osoyoos# | 63. Victoria*# |
| 16. Fruitvale# | 40. Peachland# | 64. View Royal*# |
| 17. Gibsons*#~ | 41. Pemberton*# | 65. West Kelowna# |
| 18. Harrison Hot Springs*#~ | 42. Penticton# | 66. West Vancouver*# |
| 19. Highlands*# | 43. Pitt Meadows | 67. Whistler*# |
| 20. Kamloops#~ | 44. Port Coquitlum* | 68. White Rock*# |
| 21. Kelowna#~ | 45. Port Moody*# | 69. Williams Lake#~ |
| 22. Kimberley#~ | 46. Powell River*# | |
| 23. Lake Country*#~ | 47. Princeton# | |
| 24. Langford*# | 48. Quesnel# | |

* patios
playgrounds
~ e-cigs



BC's Tobacco Bylaws





Call for provincial action: 29 municipal endorsements and counting

- Ashcroft*
- Campbell River*
- Canal Flats*
- Chase*
- Chetwynd*
- Clearwater*
- Colwood
- Courtenay*
- Dawson Creek
- Duncan
- Esquimalt
- Golden*
- Harrison Hot Springs
- Kent*
- Ladysmith*
- Lake Country
- Lantzville*
- Mackenzie*
- McBride*
- Oliver*
- Parksville*
- Prince George*
- Rossland *
- Sidney
- Smithers*
- Squamish
- Summerland
- Tofino
- Ucluelet

* No current tobacco bylaw protection



Tools for municipalities:

@ cancer.ca

- Fact sheet
- Frequently asked questions
- Sample social media posts
- Letter of support for smoke and vape-free bylaws
- List of BC tobacco bylaws
- Runtoquit.com
- Coming soon ... Propel report

Smoke and vape-free outdoor places: BC's municipal momentum

Ornell Douglas, MPH | December 6, 2016

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Outline

- *Purpose of the Study*
- *Methods*
 - *Survey tool*
 - *Sample*
- *Findings*
 - *Bylaw Promotion, Awareness, Resources*
 - *Bylaw Enforcement*
 - *Public Satisfaction and Support for SFOP bylaws*
- *Conclusion*

Purpose of the study

- 1) To assess barriers to advancing outdoor smoke-free policies.
- 2) To inform local and other decision makers on SFOP bylaw implementation.
- 3) To document enforcement issues; financial costs; and opportunities for SFOP bylaws.
- 4) To document municipal viewpoints on how the BC government might help ensure effective SFOP bylaw implementation.



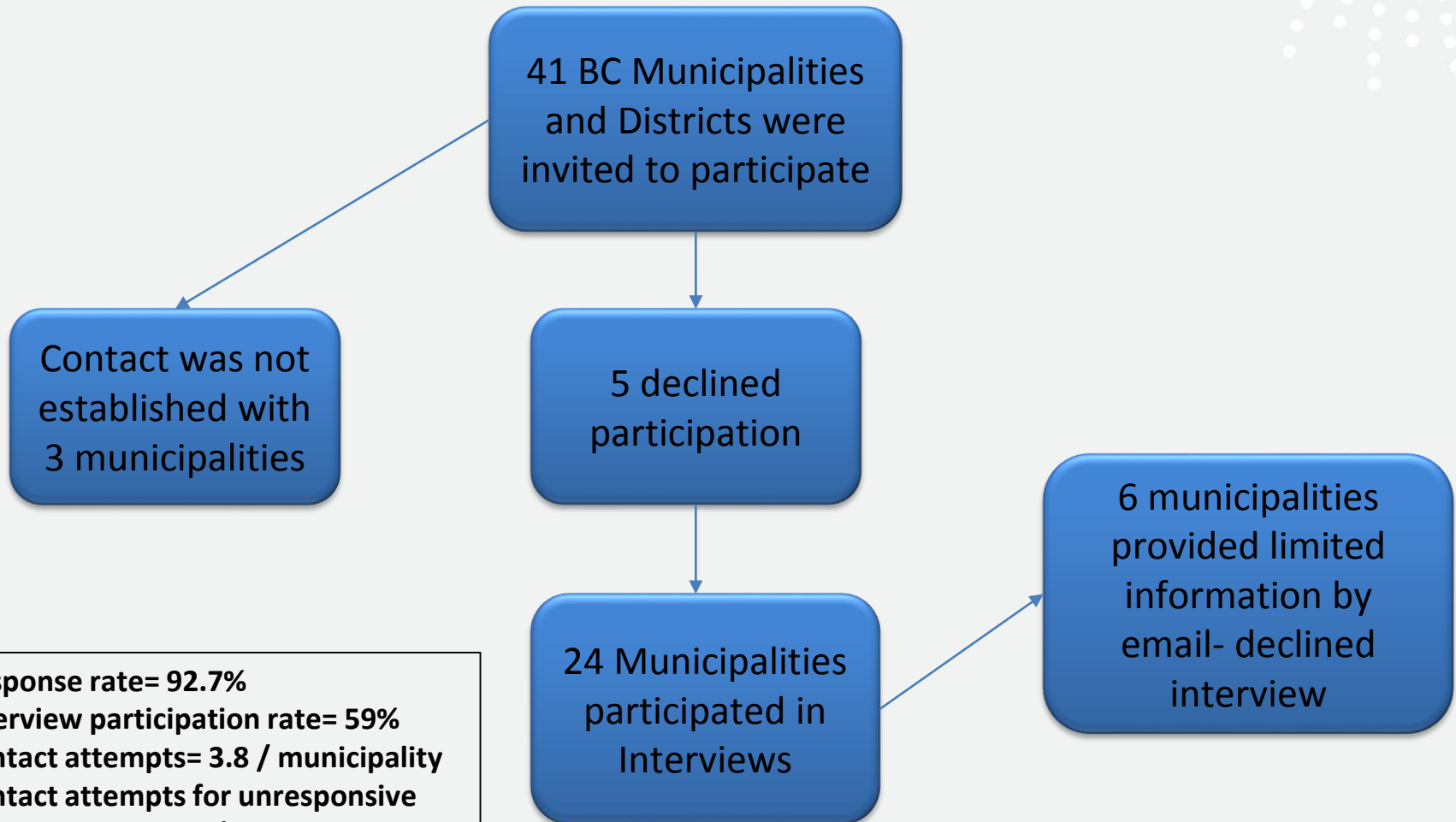
Survey

- 21 Item survey – closed and open-ended questions
- Conducted over the phone
- Average completion time of 26 minutes
- The study received Approval by the University of Waterloo Office of Research Ethics (# 21492)

Sample Interview Questions

Topic	Question
Bylaw Promotion and Awareness	“Was any public consultation conducted prior to the bylaw implementation?”
	“Did the bylaw have an associated budget or did all expenses come from existing budget allocations?”
Bylaw Enforcement	“Please describe your municipality’s enforcement approach.” “How many tickets have been issued since the implementation of [smoke-free bylaw]?”
Public Response	“Overall, how has the implementation of this bylaw positively and/or negatively impacted your community?”
	“In your opinion, how could the Province help in ensuring effective implementation of smoke- and vape-free outdoor places?”

Sample

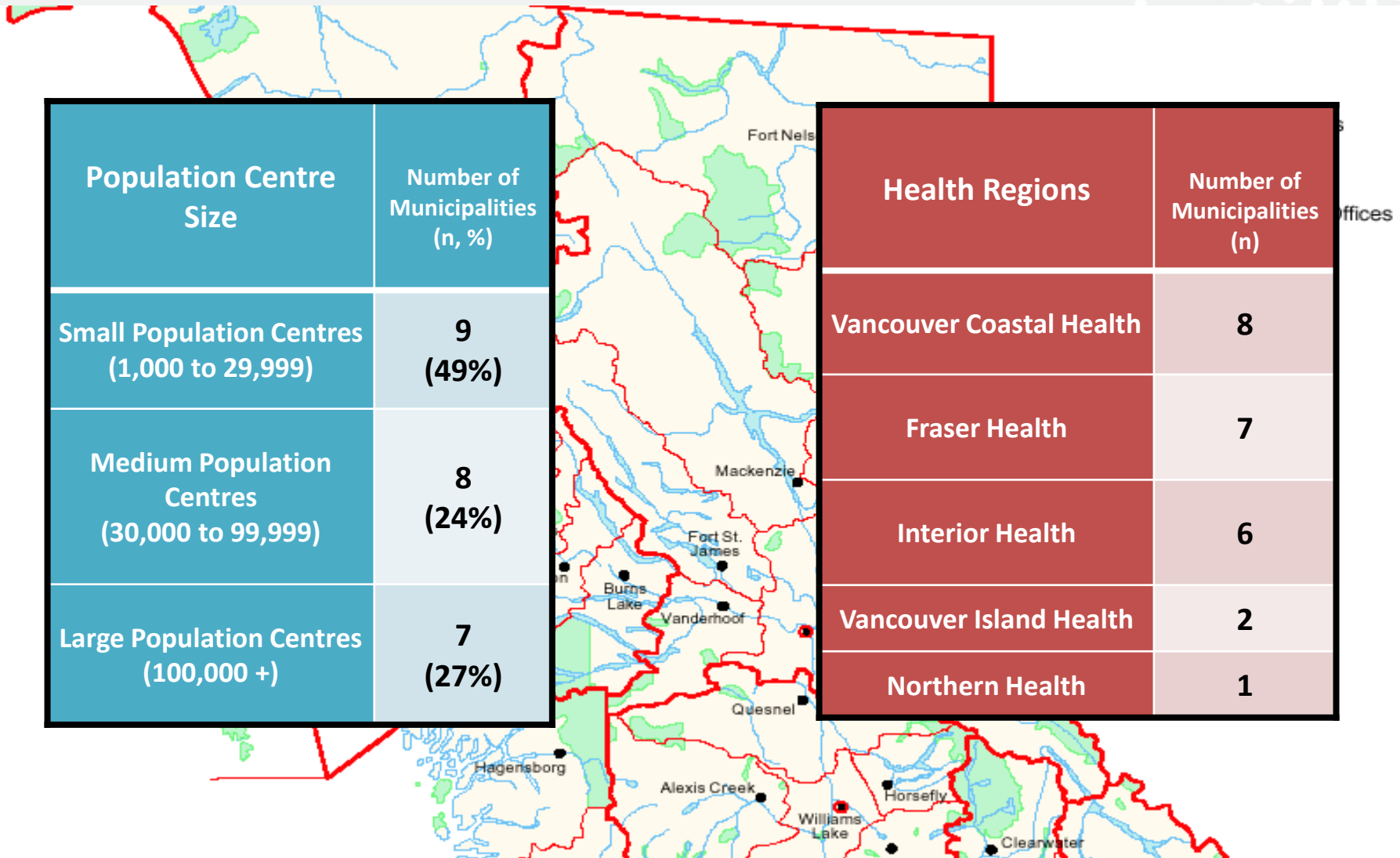


Response rate= 92.7%
Interview participation rate= 59%
Contact attempts= 3.8 / municipality
Contact attempts for unresponsive municipalities= 9.0 / municipality

Sample

Population Centre Size	Number of Municipalities (n, %)
Small Population Centres (1,000 to 29,999)	9 (49%)
Medium Population Centres (30,000 to 99,999)	8 (24%)
Large Population Centres (100,000 +)	7 (27%)

Health Regions	Number of Municipalities (n)
Vancouver Coastal Health	8
Fraser Health	7
Interior Health	6
Vancouver Island Health	2
Northern Health	1



Sample

E-Cigarette Bylaw Coverage

- **25%** (n=6) of municipalities' SFOP bylaws included provisions regarding e-cigarette/ vape pen use.



Findings- Bylaw Promotion, Awareness, Resources

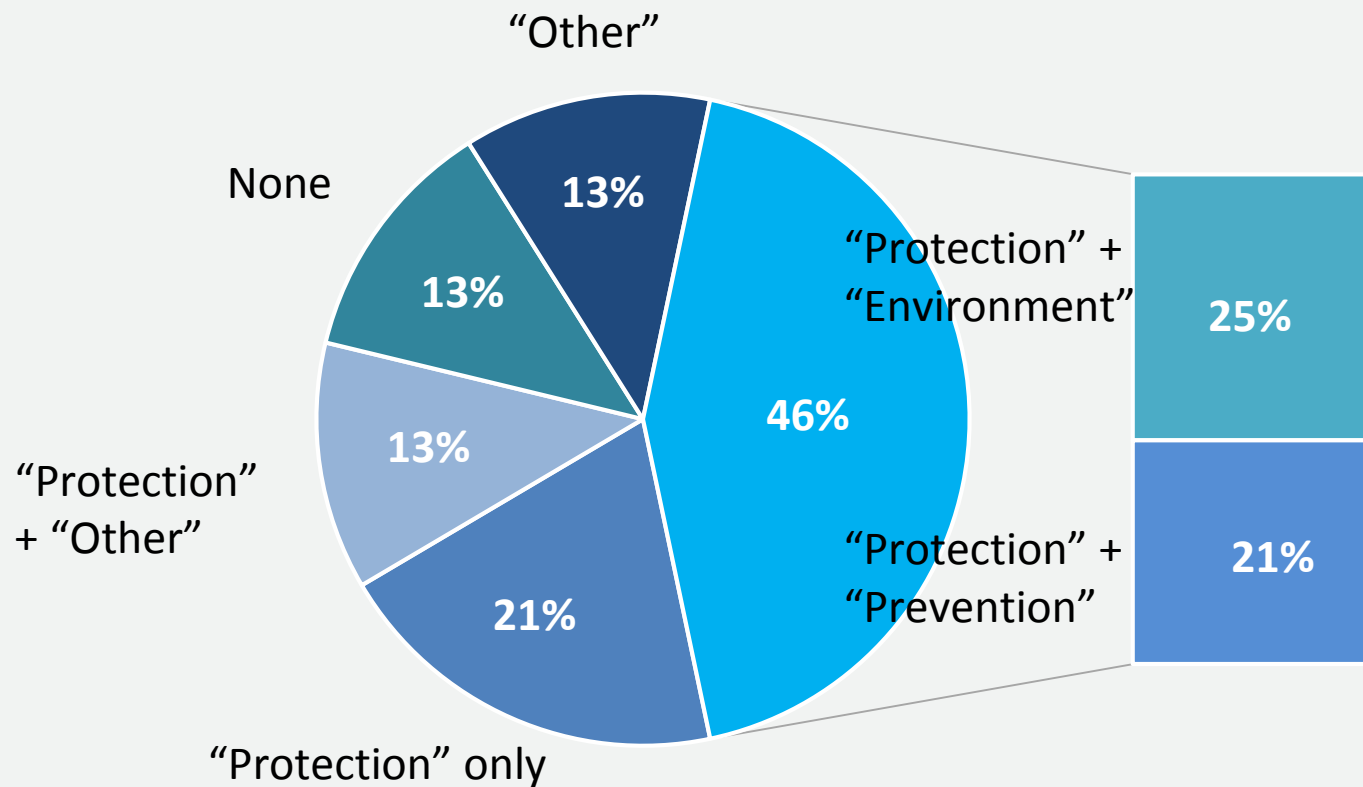
Public Consultations- prior to bylaw adoption:

- **46%** (n=11) of municipalities conducted public consultations
 - Smaller populations centres more engaged (67%, n=6)
 - Medium centres (37.5%, n=3)
 - Larger population centres** (29%, n=2)



Findings- Bylaw Promotion, Awareness, Resources

Communications- Message Framing



Findings- Bylaw Promotion, Awareness, Resources

Use of Signage

- **83%** of municipalities had posted signage



	Number of signs	Cost Range
Small Centres	<5 to approx. 200	\$250 to \$10,000
Medium Centres	<10 to several hundred	“minimal costs” – up to \$19,000**
Large Centres	<66 to 2000 signs	\$20 to \$120/ sign



- For **25%** of municipalities- costs unknown: absorbed by an existing budget / third party
- Average cost per sign= \$43 (based on reports)

Findings- Bylaw Promotion, Awareness, Resources

Bylaw Promotion and Materials

- **33%** held at least one public meeting*
- **54%** conducted formal and informal presentations (departmental; public or city council)*
- **45%** used promotional materials to communicate the new bylaw*
- **85%** utilized more than one type of resource – i.e. website, newsprint or radio, direct mail or flyer advertising, newsletters, leisure guides, etc.



N=24

* These items incurred little or no cost

Findings- Bylaw Promotion, Awareness, Resources

Budget

- In almost all municipalities (**95%**): the cost for bylaw implementation came from an existing budget allocation.



Bylaw Enforcement

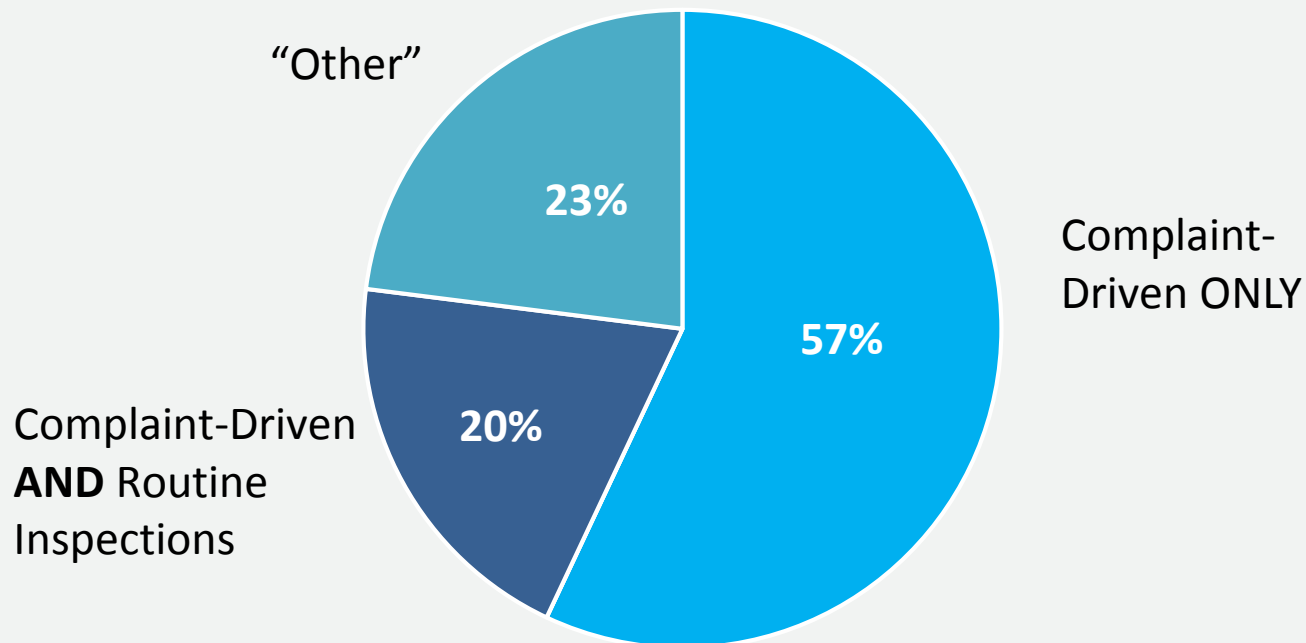
Designated bylaw enforcement



- **50%** of municipalities, more than 1 position/ role designated to enforce bylaw [incl. a Bylaw Enforcement Officer-BEO]
- **39%** of Municipalities- BEOs were the only individuals that enforced the bylaw
- **19%** of cases, Tobacco Enforcement Officers from Health Authorities were engaged in enforcing bylaw

Bylaw Enforcement

Enforcement Approach- Province wide:



Bylaw Enforcement

Enforcement Approach- Province wide:

- **71%** reported implementing a grace period of issuing warnings.
- **67%** had not issued any tickets for outdoor smoking infractions.
- There were zero tickets reported for e-cigarette infractions.

"it is a challenge for bylaw staff to issue tickets in BC since it requires asking for ID and would require significant increase in resources."

Bylaw Enforcement

Enforcement Approach- Warnings

	Grace period for warnings	Timeframe	# of Warnings/year
Small Population Centres	77% (n=7)	<ul style="list-style-type: none">4 wks. to 8 mos. (22% ongoing)	0 to 6
Medium Population Centres	75% (n=6)	<ul style="list-style-type: none">3 to 6 mos. (50% ongoing)	2 to 20
Large Population Centres	57% (n=4)	<ul style="list-style-type: none">3 - 12 mos. (50% ongoing)	0 to <20

Bylaw Enforcement

Enforcement Approach- Tickets

	Municipalities issuing tickets	# of tickets	Court Challenges
Small Population Centres	20% (n=2)	1-4	0
Medium Population Centres	50% (n=4)	3 – 50	2
Large Population Centres	42% (n=3)	# low (uncertain)	0

Bylaw Enforcement

Enforcement Resources- Province wide:

- **96%** indicated no additional bylaw enforcement officers were hired as a result of the SFOP bylaw implementation.
 - Only one municipality added staff (1.48 FTE) following bylaw implementation.
- **88%** had not re-allocated funding for bylaw enforcement during roll-out.

Bylaw Enforcement

Enforcement Resources- Province wide:

Cigarette butt Clean Up Costs:

- **38%** of municipalities reported zero cost.
- **63%** did not differentiate from general clean-up/ maintenance
- **75%** stated clean-up costs did not differ from pre- bylaw implementation.
- No costs associated with e-cigarette clean up; no change from pre-bylaw.

N=24



Bylaw Enforcement

Enforcement Resources- Province wide:

Fire Risk- Pre Bylaw:

- **33%** reported fires attributed to cigarette use
 - Of these, 21% unsure of #
 - 1-5 fires reported (by each of 4 municipalities)

Fire Risk- Post Bylaw:

- **25%** reported fires attributed to cigarette use
 - Of these, 25% were unsure of #
 - 1-4 fires suspected (2 municipalities)
 - 2 reported zero fires

“A few fires [caused by cigarettes] was part of the impetus for looking at such a [SFOP] bylaw”

Public Satisfaction and Support

Impact on Community

- **88%** of municipalities believed bylaw had a **positive** impact on the community
- Others were neutral- neither positive or negative

“Generally positive, have had groups that want a stricter bylaw to prohibit smoking altogether in certain areas.”

“Positively impacted community - feedback from the public and business owners has been good. Business owners are happy with the bylaw.”

“Positive feedback when people became aware that smokers had to be further from doors; negative feedback from smokers forced out from covered areas and into the rain.”

Most people saying thanks for... implementing the bylaw, but haven't had any complaints.”

Public Satisfaction and Support

Public Complaints

- **71%** of municipalities had received complaints
- Common complaints:
 - individuals smoking in prohibited areas (76%)
 - Stricter bylaw required (13%)
 - Few places for smokers to smoke (13%)

	Municipalities reporting complaints	# of complaints per year
Small Centres	67%	2 to 6
Medium Centres	88%	3 to 20
Large Centres	57%	1 to 3

Public Satisfaction and Support

UBCM Resolution B92

- **42%** expressed support for UBCM 92
- **29%** felt that their current municipal bylaw already addressed many of same issues.
- A few had no comment or were unfamiliar with UBCM B92

“[UBCM B92] is not something municipalities should have to deal with individually; the uncertainty is unfair to smokers if the rules are different from community to community. It's a public health issue that needs a higher sphere of influence.”

“Would be good if province could show more leadership on the issue.”

“Many of the resolution items already exist in our municipality so it doesn't impact us.”

Public Satisfaction and Support

Provincial Support for Effective Implementation

- **54%** - education (i.e. public communication campaigns)
 - 17% - greater understanding around vaping
- **25%** - pass stronger, standardized provincial legislation:
“the province has a “duty of care, an avenue of opportunity”
- **25%** - greater resources/ support to implement bylaws:
“so much was being downloaded to municipal governments”
- **17%** - support around enforcement
- **13%** - government needed to act on and pass UBCM B92:
“people are ready for it —the government just needs to do it already!”

Public Satisfaction and Support

E-cigarettes: The government needs to...

- “Increase education/ awareness around vaping re: youth.”
- “Provide more education, information and regulations re: vaping...”
- “...make research more accessible to the public”
- “More focus on public education, in regards to vaping and vape-free outdoor spaces (a lot of misunderstanding that vape smoke isn't smoke, etc.)”



Public Satisfaction and Support

Final thoughts:


- **30%** reported their bylaw was working well
- A few expressed challenges with enforcement: obtaining *“community buy-in”* or having the *“goal of voluntary compliance”* made enforcement much easier
- Stakeholder Working group with broad representation: (i.e. Parks, Transit, CCS, Quit Now, etc.) extremely helpful in getting people and groups on board
- **15%** considering bylaw amendment in the near future (i.e. increasing the distance smoking from air intakes; provisions for marijuana; e-cigarette smoking restrictions)

Conclusion

- SFOP bylaws have been implemented by municipalities largely without significant additional cost
- Few costs- primarily absorbed internally
- Signage used most municipalities – may facilitate action by the public
- More than half reported complaint-driven enforcement approach
- Two thirds issued zero tickets for outdoor smoking infractions;
- No tickets for e-cigarette infractions.
- Most municipalities provide warnings and education over ticketing

Conclusion

- Support for UBCM B92; government could help with effective implementation of SVFOP
- Stronger, standardized, consistent provincial regulations
- Greater resources support for bylaw implementation
- More support needed for enforcement- greater authority and resources to conduct enforcement activities
- Overall, current municipal SVFOP bylaws had had a *positive impact* on communities, had been implemented seamlessly and was not deemed an issue by communities or municipalities



“We weren't the initiators of Smoke-Free Communities. Many other communities have taken the lead on this as well. We saw value in creating healthy lifestyles and want to ensure that every citizen has the right to good health.”

Thank you!



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The Propel Centre for Population Health Impact was founded by the Canadian Cancer Society and the University of Waterloo.



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Call to action

Municipalities

- endorse provincial SVF outdoor places legislation
 - email mklitch@bc.cancer.ca

Tobacco Control Advocates

- fan out call to action for provincial SVF legislation
 - www.takeaction.cancer.ca

Reference new resources

- <http://www.cancer.ca/en/get-involved/take-action/what-we-are-doing/local-priorities-bc/?region=bc>



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