

Information Report



Service Area	Public Services
Date	Friday, October 30, 2020
Subject	Review of Smoking and Alcohol Regulations

Executive Summary

Purpose of Report

To provide information to City Council on staff's review of adding additional bylaw regulations related to smoking and the permitting of alcohol consumption within City parks and other public open spaces.

Key Findings

The City's current Smoking Bylaw mimics the Smoke Free Ontario Act, and is consistent with other municipalities. Calls for service related to smoking have been low. The restriction of alcohol in public places in a provincial law and continues to be enforced by Guelph Police Service. A recent smoking survey and call volumes do not support any changes to the existing bylaw.

Consumption of alcohol in public areas is not strongly supported.

Financial Implications

There are no financial implications associated with this report. All costs for enforcement are within the existing operating budget.

Report

Details

Over the past few years, concerns with respect to smoking of tobacco and cannabis have been voiced by residents and have been discussed by Council various times. In December 2018, when considering cannabis retail stores, Council approved the creation of a Smoking Bylaw which reflected the regulations within the Smoke Free Ontario Act. At this time, Council also directed staff to conduct a review of the smoking regulations within the City of Guelph.

In 2019, the Smoking Bylaw was passed allowing Police and Bylaw officers to assist in enforcing smoking restrictions that until then, were being enforced only by Wellington Dufferin Guelph Public Health. Upon the bylaw's passing, staff began a review of the smoking regulations. As part of that review, staff sought input from the Cannabis Working Group, who helped design the public surveys. It should also be noted the working group subsequently also assisted staff in the review of alcohol consumption within public spaces.

Staff conducted on-line and telephone surveys related to the City's smoking restrictions. As a result, it was determined that the majority of the areas of concern expressed by residents during the survey were already regulated within the Smoking Bylaw or could be controlled by other legislation. The survey also indicated that there was not much public support to make the Smoking Bylaw more restrictive in areas which could be regulated.

With respect to calls for service over the past two years, staff have received only two calls related to smoking. In both cases, the calls were initiated by residents of multi-unit complexes complaining of neighbours smoking on private land near apartment entrances and on private balconies. Although the number of calls received to date related to smoking is low, staff are ready and able to respond when necessary. Staff believe most people who smoke do proactively adhere to the Ontario Smoke Free Act and the City Smoking Bylaw.

In 2019, the Provincial government also provided the authority for municipalities to pass a bylaw to permit the consumption of alcohol within public parks and other public areas. The working committee reviewed the possibility of permitting alcohol within these areas, and also developed a community survey on the subject.

Within that survey, questions were asked related to allowing alcohol in parks and other public spaces. Although not overwhelming, the results were supportive of the City maintaining status quo with the existing restrictions under the Liquor License Act of Ontario. The results of this committee's discussions also supported remaining status quo and to continue to allow for the consumption of alcohol in public areas by way of a special occasion permit. Special occasion permits are available for events such as outdoor festivals and concerts, and are regulated as to size, service, and security.

Therefore, unless directed otherwise by Council, it is staff's recommendation that no amendments be made to the City of Guelph's Smoking Bylaw and not to proceed with the creation of a bylaw to allow alcohol consumption within parks and/or public spaces.

Financial Implications

There are no financial implications associated with this report. All costs for enforcement are within the existing operating budget.

Consultations

The Cannabis Working Group was consulted. This group consists of representatives from the Guelph Police Service, Wellington Dufferin Guelph Public Health, Wellington Guelph Drug Strategy, University of Guelph, Upper Grand District School Board, Wellington Catholic District School Board, and staff from Guelph Fire, Guelph Wellington Paramedic Services, Zoning, Community Investment, Intergovernmental Relations, Development Planning, Finance, Court Services, Corporate Communications, Strategy Innovation, Parks and Operations.

Strategic Plan Alignment

This smoking and alcohol review supports building our future and ensuring that we continue to build strong, vibrant, safe, and healthy communities.

Attachments

None

Departmental Approval

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