

APPENDIX "A"  
Report No. 2 of the Commissioner of Health Services  
and the Chief Administrative Officer

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**THE REGIONAL MUNICIPALITY OF YORK**

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**REPORT NO. 2  
OF THE REGIONAL COMMISSIONER OF HEALTH SERVICES AND  
THE CHIEF ADMINISTRATIVE OFFICER**

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**For Consideration by  
The Council of The Regional Municipality of York  
on May 11, 2000**

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**1  
MODEL NO-SMOKING BY-LAW**

**1. RECOMMENDATIONS**

It is recommended that:

1. Regional Council receives this report for information purposes.
2. The Regional Clerk circulates the Model No-Smoking By-law to the nine area municipalities in York Region.

**2. PURPOSE**

This report was prepared upon the request of the members of the No-Smoking By-law Task Force to provide Regional Council with updated information on the status of the Model No-Smoking By-law.

**3. BACKGROUND**

On April 13, 2000, Council adopted the recommendations of the Associate Medical Officer of Health related to the work plan of the No-Smoking By-law Task Force. Included in those recommendations was a direction that the Task Force should develop the components of a No-Smoking By-law that would be acceptable for implementation in all area municipalities.

The model by-law would be distributed to Area Municipal Councils for review. The Municipal Councils would return any comments pertaining to the model by-law to the No-Smoking By-law Task Force within a prescribed timeframe. The idea is that the feedback would be incorporated into the model by-law.

#### **4. ANALYSIS AND OPTIONS**

The Model No-Smoking By-law (*Attachment 1*) mirrors the by-laws that have already been passed by the City of Toronto and the three area municipalities of Peel Region. The development of the Model No-Smoking By-law is timely in that the area municipalities in York Region will be able to keep pace with the progress of neighbouring Regions.

At the same time, the Model By-law aims to prevent any ambiguities that may be apparent in the Toronto and Peel by-laws. The definitions contained therein are an attempt to standardize the interpretation and thereby minimize any conflicts that may arise upon implementation of the by-law.

Furthermore, the Model No-Smoking By-law aims to create a "level playing field" for those businesses that are impacted. This is accomplished by phasing in over time the by-law for different classes of "public places." The timeline for implementation of the Model By-law is consistent with those of Toronto and Peel so as to minimize any cross-boundary concerns that may arise.

The adoption of the by-law could lead to smoke free public places in York Region by 2004 and, ultimately, to the improved health of York Region residents.

#### **5. FINANCIAL IMPLICATIONS**

There are no financial implications anticipated by the recommendation or information contained in this report.

#### **6. LOCAL MUNICIPAL IMPACT**

It is anticipated that the Model No-Smoking By-law should be acceptable for implementation in all area municipalities. The form and content of the model by-law should facilitate the timely return of comments by area municipalities to the No-Smoking By-law Task Force. The circulation of the model by-law to Area Municipalities allows each of them the opportunity for constructive input into the final by-law.

#### **7. CONCLUSION**

Regional Council directed the No-Smoking By-law Task Force to develop the components of a No-Smoking By-law that will be acceptable for implementation in all municipalities. The attached model by-law is the first step in this process and will be circulated to area municipalities for review, discussion and comment.

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The ultimate goal of the No-Smoking By-law is to enhance the health of York Region residents.

(A copy of the attachment referred to in the foregoing has been forwarded to each Member of Council and a copy thereof is also on file in the office of the Regional Clerk.)

*(Regional Council at its meeting on May 11, 2000, amended the foregoing Clause as follows:*

*Recommendation 2 be amended to include the words "and that their comments be received by the Task Force by June 26, 2000" at the end of the Recommendation.)*

**Respectfully submitted,**

**May 10, 2000**  
**Newmarket, Ontario**

**H. Jaczek**  
**Commissioner of Health Services**

**A. Wells**  
**Chief Administrative Officer**

*(Report No. 2 of the Commissioner of Health Services and the Chief Administrative Officer was adopted, as amended, by Regional Council at its meeting on May 11, 2000.)*