



REVISED AGENDA

SPC ON COMMUNITY AND PROTECTIVE SERVICES

November 13, 2019, 9:30 AM
IN THE COUNCIL CHAMBER
Members

Councillor G-C. Carra, Chair
Councillor E. Woolley, Vice-Chair
Councillor D. Colley-Urquhart
Councillor S. Chu
Councillor J. Gondek
Councillor R. Jones
Councillor J. Magliocca
Mayor N. Nenshi, Ex-Officio

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
 - 4.1 Minutes of the Regular Meeting of the Standing Policy Committee on Community and Protective Services, 2019 October 29
 - 4.2 Minutes of the Regular Meeting of the Standing Policy Committee on Community and Protective Services, 2019 October 28
5. CONSENT AGENDA
 - 5.1 DEFERRALS AND PROCEDURAL REQUESTS
None
 - 5.2 BRIEFINGS
 - 5.2.1 Response to Motion Arising – Off-Leash Dog Parks, CPS2019-1434

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1 Strengthening the Smoking and Vaping Bylaw, CPS2019-1405

7.2 School Safe Zones, CPS2019-1424

7.3 Impact of Cannabis Bylaws, CPS2019-1403

7.4 Amendment to Fire Operations and Fees Bylaw 55M2014- Referral and Update CPS2019-1435

REVISED MATERIALS

7.4.1 *REVISED-Amendment to Fire Operations and Fees Bylaw 55M2014- Referral and Update CPS2019-1435*

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS
None

8.2 NOTICE(S) OF MOTION
None

9. URGENT BUSINESS

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1 Corporate Public Art Program Review Update, CPS2019-1426
Held confidential pursuant to Sections 23 (Local public body confidences) and 25 (Disclosure harmful to economic and other interests of a public body) of the *FOIP* Act.

Review By: 2020 June 30

10.2 URGENT BUSINESS

11. ADJOURNMENT

Members of Council may participate remotely, if required.



MINUTES

SPC ON COMMUNITY AND PROTECTIVE SERVICES

**October 29, 2019, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT:

Councillor G-C. Carra, Chair
Councillor E. Woolley, Vice- Chair
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor J. Farkas
Councillor J. Magliocca
Councillor J. Gondek
Councillor D. Farrell
Councillor S. Keating

ALSO PRESENT:

A/General Manager R. Hinse
City Clerk L. Kennedy
Legislative Coordinator S. Muscoby
Recorder J. Palaschuk

1. CALL TO ORDER

Councillor Carra called the Meeting to order at 9:38 a.m.

2. OPENING REMARKS

Councillor Carra provided opening remarks.

3. CONFIRMATION OF AGENDA

Moved by Councillor Colley-Urquhart

That the Agenda for the 2019 October 29 Regular Meeting of the Standing Policy Committee on Community and Protective Services be confirmed.

MOTION CARRIED

4. CONFIRMATION OF MINUTES

- 4.1 Minutes of the Regular Meeting of the SPC on Community and Protective Services, 2019 October 09

Moved by Councillor Woolley

That the Minutes of the 2019 October 09 Regular Meeting of the Standing Policy Committee on Community and Protective Services be confirmed.

MOTION CARRIED

5. CONSENT AGENDA

5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

5.2 BRIEFINGS

None

6. POSTPONED REPORTS

6.1 Response to Water Fluoridation in The City of Calgary, CPS2019-0965

Councillor Carra introduced the following members of the panel, who provided expert advice for Item 6.1 CPS2019-0965:

- Dr. Bill Ghali, Scientific Director, O'Brien Institute for Public Health, University of Calgary;
- Dr. Aleem Bharwani, Public Policy Lead, O'Brien Institute for Public Health, University of Calgary;
- Joy Bowen-Eyre, CEO, The Alex Community Health Centre;
- Dr. David Strong, Medical Officer of Health, Calgary Zone Lead, Alberta Health Services; and
- Dr. Rafael Figueredo, Provincial Dental Public Health Officer, Alberta Health Services.

The following speakers addressed Committee with respect to Report CPS2019-0965:

- 1 Dr. Cynthia Weijs
- 2 Dr. Lindsay McLaren
- 3 Dr. Aravind Ganesh
- 4 Dr. Paul Boucher
- 5 Emily Cooley
- 6 Harneet Chahal
- 7 Dr. Juliet Guichon
- 8 Dr. Wendy Street-Wadey

Committee recessed at 12:04 p.m. and resumed at 1:06 p.m. with Councillor Carra in the Chair.

- 9 Dr. Michelle Jung
- 10 Dr. Cora Constantinescu
- 11 Noah Cooke
- 12 James Beck
- 13 Chris Neurath
- 14 Paul Connett

Committee, by general consent, suspended Section 32(d) of the Procedure Bylaw 35M2017, as amended, to allow a member of the public to extend their presentation time.

- 15 Dr. Robert Dickson
- 16 Deborah Morgan
- 17 Jason Sokolosky
- 18 Dr. Bruce Yaholnitsky
- 19 Dr. Heidi Rabie
- 20 Heather Strang
- 21 Kevin Viliunas
- 22 Ruth Legese
- 23 Rick North
- 24 Yvonne Heerema
- 25 Joan Cummings
- 26 Jeffrey McKay

Committee recessed at 3:15 p.m. and resumed at 3:45 p.m. with Councillor Carra in the Chair.

- 27 Dr. Johnny Johnson
- 28 Scott Bykowski
- 29 Colleen Cran
- 30 Maria Castro
- 31 Mary Lee
- 32 Linda Nessel
- 33 CJ Fietz
- 34 Dr. Ian Mitchell
- 35 Jennifer Alexander
- 36 Mary Anne Schleinich
- 37 Erin Colborne
- 38 Louise Prenovost
- 39 Michael Duggan
- 40 Kindal Robertson
- 41 Shaoli Wang
- 42 Matt van Olm
- 43 Amanda Brown

Pursuant to Section 6(1) of the Procedure Bylaw 35M2017, as amended, Section 78 (2)(c) be amended, by general consent, to have the dinner recess occur between 6:30 p.m. and 7:20 p.m.

Committee recessed at 6:30 p.m. and resumed at 7:20 p.m. with Councillor Carra in the Chair.

44 Mario Gagnon
45 Art Matsui
46 Margaret Fong
47 Adele Sanoy
48 Mary Nokleby
49 Richard Donaldson
50 Catherine Little
51 Eric Benny
52 Doris Reimer
53 Trina Listanco

Councillor Woolley rose on a Question of Privilege regarding the conduct of the public in attendance at the meeting.

54 Terry Barnhart
55 Carly Chislett
56 Lawrence Oshanek

The following documents were distributed with respect to Report CPS2019-0965:

- A presentation entitled "CPS2019-0965 Response to Water Fluoridation in The City of Calgary";
- A letter from Dr. Michelle Jung;
- A letter from Noah Cooke;
- A letter entitled "Safe Water Calgary Response to American Fluoridation Society Claims";
- A letter entitled "SPC on Community and Protective Services Re: Fluoride", dated 2019 October 29;
- A letter from Yvonne Heerema;
- A document entitled "CADTH Rapid Response Report: Summary with Critical Appraisal;
- A letter to Dr. Rick Woychik and Dr. Collman, dated 2019 October 23;
- A document entitled "Fluoridation's Neurotoxicity";
- A letter of response from Health Canada to a Freedom of Information and Protection of Privacy request;
- A warning label for hydrofluosilicic acid;
- A letter from Art Matsui;

- A document entitled "Calgary Strom Sewer reads: Dump No Pollutants Drains to Rivers and Streams"; and
- A letter from Shaoli Wang.

The following documents were received for the Corporate Record with respect to Report CPS2019-0965:

- A document entitled "CADTH Response Report: Summary with Critical Appraisal";
- A presentation entitled "Community Water Fluoridation, Cynthia Weijs", dated 2019 October 29; and
- A document entitled "Oral Health Action Plan".

Moved by Councillor Woolley

That with respect to Report CPS2019-0965, the following be approved:

That the Standing Policy Committee on Community and Protective Services recommends to Council that:

1. The presentations with respect to Report CPS2019-0965 be received for the Corporate Record;
2. Thank the University of Calgary's O'Brien Institute for Public Health for their support to Council on this important public policy topic;
3. Direct Administration to undertake a full cost analysis for the potential reintroduction of fluoride into the water system including ongoing projected operational costs, City's authority and jurisdiction with regard to fluoridation, capital cost and possible utility rate impacts; and
4. Report back directly through the Priorities and Finance Committee no later Q2 2020.

And further, that the distributions received from the public at today's meeting be forwarded on with the Report to Council.

MOTION CARRIED

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

10.2 URGENT BUSINESS

None

11. ADJOURNMENT

Moved by Councillor Woolley

That this meeting adjourn at 8:38 p.m.

MOTION CARRIED

The following item has been forwarded to the 2019 November 18 Combined Meeting of Council:

CONSENT:

- Response to Water Fluoridation in The City of Calgary, CPS2019-0965.

The next Regular Meeting of the Standing Policy Committee on Community and Protective Services is scheduled to be held, 2019 November 13 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

ACTING CITY CLERK



MINUTES

SPC ON COMMUNITY AND PROTECTIVE SERVICES

**October 28, 2019, Immediately upon the recess of the Organizational Meeting of Council
IN THE COUNCIL CHAMBER**

PRESENT: Councillor G-C. Carra, Chair
Councillor E. Woolley, Vice-Chair
Councillor S. Chu
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor J. Farkas
Councillor J. Magliocca

ALSO PRESENT: City Clerk L. Kennedy
Deputy City Clerk T. Mowrey
Legislative Coordinator S. Muscoby
Acting Coordinator J. Dubetz
Recorder G. Chaudhary

1. **CALL TO ORDER**

The City Clerk called the meeting of the Standing Policy Committee on Community and Protective Services to order at 9:45 a.m.

2. **ELECTION OF CHAIR**

Following nomination procedures, Councillor Carra was elected Chair of the Standing Policy Committee on Community and Protective Services, by acclamation.

3. **ELECTION OF VICE-CHAIR**

Following nomination procedures, Councillor Woolley was elected Vice-Chair of the Standing Policy Committee on Community and Protective Services, by acclamation.

4. **ELECTION OF COMMITTEE DESIGNATE TO GREEN LINE COMMITTEE**

Following nomination procedures, Councillor Carra was elected Designate to the Green Line Committee, by acclamation.

5. **ADJOURNMENT**

Moved by Councillor Woolley

That this meeting adjourn at 9:51 a.m.

MOTION CARRIED

The next Regular Meeting of the Standing Policy Committee on Community and Protective Services has been scheduled to be held on 2019 October 29 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

CITY CLERK

UNCONFIRMED

BRIEFING

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Item # 5.2.1

**Community Services Briefing to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1434**

Response to Motion Arising – Off-Leash Dog Parks

PURPOSE OF BRIEFING

At the 2019 February 4 Combined Council Meeting, a Motion Arising related to CPC2018-1359 directed Administration to “review and revise policy to enable off-leash dog parks as a component of design programming within Municipal Reserves and other park spaces within communities.”

Calgary Parks reviewed existing off-leash areas, processes around the establishment of new off-leash areas, and also had discussions with Councillor Colley-Urquhart who brought the Motion forward. This work led to the following conclusions:

- Calgary is generally well-served in terms of available off-leash areas with 157 locations covering approximately 1,200 hectares city-wide.
- In areas where this is not the case, the Off-Leash Area Management Plan, received by Council for information in 2011, provides a robust and well-defined process for proponents of new off-leash areas to investigate feasibility and adjacent community interest.
- One area that could provide greater clarity for establishment of off-leash areas in new and redeveloping communities is an off-leash area design specification. Parks will engage with the development industry to gauge their interest and input on this as part of our annual review of the Parks Development Guidelines and Standard Specifications for Landscape Construction.

SUPPORTING INFORMATION

Calgary is fortunate to have approximately 14% of the total Calgary Parks land inventory as public off-leash areas, one of the highest per capita concentrations in North America. Even so, with the popularity of dog ownership, The City of Calgary is continually working on enhancing existing areas and adding more off-leash locations.

In 2011, Council received the Calgary Parks' Off-Leash Area Management Plan (OLAMP) for information and directed Administration to utilize the guidelines, procedures, stakeholder engagement and service-level frameworks herein. OLAMP was developed following substantial public and stakeholder engagement, and acts as a comprehensive overview of the opportunities and challenges associated with off-leash areas, and The City's mission, values and core principles associated with the provision of such areas. It also provides a robust, yet straightforward, guide to investigating the potential for a new off-leash area, including determining the need for and feasibility of a site, requirements for stakeholder engagement, and guidelines for implementation. The OLAMP has served as a valuable tool for citizens and The City by ensuring that new off-leash areas are considered in a consistent, transparent and thoughtful manner.

The OLAMP has successfully guided the establishment of several new off-leash areas, including recent examples in the communities of Mount Pleasant, Killarney, Forest Lawn and

BRIEFING

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Downtown West. The success of these new off-leash opportunities owes to the thorough considerations included in the plan. Similarly, there have been some situations where proposed off-leash opportunities were not implemented. In these cases, execution of the process outlined in the OLAMP revealed that the area was not appropriate for off-leash from a technical sense such as inadequate access or parking, or the majority of the surrounding community did not support it.

The OLAMP also assists with evaluating the potential for new off-leash areas in developing communities, given that the criteria and process are similar. Requests for off-leash areas by developers of new communities is uncommon. In instances where interest has arisen, solutions have been opportunistically pursued in road and utility right-of-ways, on non-credit Municipal Reserve sites or in other non-park areas as the developer dedicated 10% community open space is most often needed for schools and parks that provide more flexible space for a variety of park users, amenities and activities. Recent examples where off-leash opportunities have either been planned or established on non-credit reserve areas include sites in the communities of Wolf Willow, Taradale and Auburn Bay.

To give further guidance and certainty to developers who wish to establish off-leash areas, Calgary Parks will engage BILD Calgary regarding the potential for an associated standard specification or design. This will be undertaken as part of our annual joint review of the City of Calgary Parks Development Guidelines and Standard Specifications for Landscape Construction.

In summary, Administration's investigation of Councillor Colley-Urquhart's Motion Arising revealed that a robust guidance on the opportunities for and methods to establish new off-leash opportunities already exists in the Off-Leash Area Management Plan, a Council-approved document which involved significant public and stakeholder engagement. Although Administration does not feel further policy revisions are required, the investigation of standard specification, which could be used for off-leash area development, may be helpful to guide future inquiries. As such, Administration will pursue this further directly with the development industry in 2020.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1405**

Strengthening the Smoking and Vaping Bylaw

EXECUTIVE SUMMARY

On 2018 April 03, Council directed Administration to further strengthen the Smoking and Vaping Bylaw 23M2018 with consideration given to prohibiting a number of smoking-related activities. Administration was directed to engage with citizens and key stakeholders including Alberta Health Services (AHS) in conducting this work. Drawing upon extensive engagement and research, this report includes recommendations to further strengthen Calgary's Smoking and Vaping Bylaw 23M2018 while taking into account the potential impact on businesses and municipal enforcement services. However, Council may prefer to reserve this decision in light of the Government of Alberta's plans to amend the *Tobacco and Smoking Reduction Act*, anticipated in the Spring of 2020.

ADMINISTRATION RECOMMENDATIONS:

That the Standing Policy Committee on Community and Protective Services recommend that Council approve one of the following options:

1. Give three readings to the proposed bylaw to amend the Smoking and Vaping Bylaw 23M2018 (Attachment 1); or
2. Reserve its decision to approve the proposed bylaw in Attachment 1 until the Government of Alberta passes amendments to the *Tobacco and Smoking Reduction Act*, expected to be introduced in the 2020 Spring session of the Legislature, and report back with recommendations on further amendments to the Smoking and Vaping Bylaw 28M2018 if required.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 February 25, Council approved Administration's request to defer the report on smoking and waterpipe restrictions to Council through the SPC on Community and Protective Services Committee no later than 2019 Q4.

On 2018 April 5, Council adopted a Motion Arising, moved by Councillor Carra and seconded by Councillor Colley-Urquhart, directing Administration to engage citizens and key stakeholders (including Alberta Health Services) to further strengthen the Smoking and Vaping Bylaw 23M2018, with consideration given to prohibiting:

- Waterpipe smoking in workplaces, public premises and specified outdoor places;
- Smoking in multi-unit public housing administered by The City of Calgary, and;
- Smoking and vaping in hotel and motel rooms, in outdoor public parks and at outdoor public events,

and report back to Council, through the Standing Policy Committee on Community and Protective Services with recommendations and bylaw amendments no later than 2019 Q2.

BACKGROUND

The Government of Alberta's *Tobacco and Smoking Reduction Act* (TSRA) was first enacted in 2005, establishing a number of measures to prevent and reduce tobacco use to protect individuals

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Strengthening the Smoking and Vaping Bylaw

from the harms of tobacco and second-hand smoke. The TSRA prohibits smoking in all public places and workplaces and bans retail displays, advertising and promotion of tobacco products. On 2019 October 2, the Government of Alberta announced a review of its tobacco and smoking legislation. The announcement indicated the review will specifically address vaping and the use of tobacco-like products such as hookah (waterpipe) in public and work places. Amendments are scheduled to be introduced in the 2020 Spring session of the Legislature.

Calgary's Smoking and Vaping Bylaw was passed in 2005. While the bylaw mirrors many of the existing provisions in the TSRA, it also regulates vaping which is currently absent from provincial regulations.

Waterpipe/Shisha Smoking

A waterpipe is a smoking device that consists of a bowl mounted on a vessel of water, which is provided with a long tube and arranged so that smoke is drawn through the water where it is cooled and moves up the tube to the mouth. The smoking material, or shisha, is placed in a bowl on top of the waterpipe and heated/burned by charcoal which rests on top of the shisha, usually separated by aluminum foil or other metal. The heated air, which contains the shisha/herbal mixture and charcoal fumes, passes through the waterpipe and is inhaled by the smoker.

The TSRA was amended in 2013 through Bill 33 and was intended to better protect Albertans from the harmful effects of tobacco, tobacco-like products and second-hand smoke. Bill 33 banned the sale of menthol flavored tobacco products, eliminating most flavored tobacco products. However, the sections of Bill 33 which would have prohibited 'tobacco-like products' - shisha - from being smoked in the same places as tobacco were never proclaimed. As a result, venues which offer tobacco-like products for sale and consumption on their premises have been allowed to legally continue operations.

Multi-unit Public Housing

Calgary Housing Company (CHC) is a wholly-owned subsidiary of The City of Calgary and is governed by an independent Board of Directors. CHC is not the sole provider of affordable, non-market housing in Calgary and does not represent the whole of the non-market housing sector. CHC currently allows smoking in most buildings it manages but has introduced no-smoking policies in several newer properties.

Hotel and Motel Rooms

The TSRA includes an exemption for designated hotel and motel rooms. As such, hotels and motels in Alberta have been able to designate specific rooms as smoking rooms within their premises.

Outdoor Public Parks/Outdoor Public Events

Calgary's Smoking and Vaping Bylaw currently prohibits smoking within five metres of a(n): outdoor pool, outdoor skating rink, playground, skate park, sports field, or transit property. Currently it prohibits smoking or vaping in only one city park - Olympic Plaza - however, it does not otherwise prohibit smoking in city parks or pathways.

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Strengthening the Smoking and Vaping Bylaw

Calgary's Smoking and Vaping Bylaw does not restrict smoking or vaping at outdoor public events. However, in many instances event operators choose to create designated smoking or vaping areas.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Waterpipe/Shisha

Since the TSRA and Calgary's Smoking and Vaping Bylaw were passed, there has been renewed international interest in, and numerous studies revealing, the health effects of smoking shisha. As a result, the World Health Organization has recommended that waterpipe use be prohibited in public places. In the interest of public health, many governments around the world have followed this recommendation and waterpipe use is prohibited in public places in Toronto, Vancouver, Ottawa, and in countries where use is prevalent, including Turkey, Kenya, Pakistan, and Jordan. Attachment 2 includes a list of leading practices.

In recent years, there have been serious health concerns associated with shisha lounges in Calgary. A multi-agency team, headed by AHS was formed to address concerns, and includes representatives from AHS, the Alberta Gaming and Liquor Commission, Calgary Fire Department, Calgary Building Services and Calgary Community Standards. Notable incidents included at least two cases of carbon monoxide poisoning which resulted in patients being placed in a hyperbaric chamber to aid in recovery. Calgary has approximately 40 businesses which offer shisha as part of their service. Several have recently cooperated with the multi-agency team which inspected these locations to address immediate health concerns on their premises. Several local businesses installed upgraded air units in order to meet provincial building code requirements for air exchange in smoking rooms. It is important to note that while these upgraded units were installed to address immediate and severe health concerns, there is no known ventilation system which entirely mitigates the short and long-term health effects of second-hand shisha smoke.

In responding to the Motion Arising, Administration considered as an option reserving a recommendation to amend the Smoking and Vaping Bylaw until the Government of Alberta releases anticipated amendments to the TSRA during the 2020 Spring session of the Legislature, as noted above. Since smoking is regulated at both the provincial and municipal levels, any amendments to provincial legislation prohibiting waterpipe smoking in public places and workplaces would apply to Calgary businesses. Delaying a decision would enable The City to assess the provincial amendments and determine whether additional changes to municipal bylaws would be needed to address the health impacts associated with waterpipe smoking in workplaces and public places. Should the anticipated provincial amendments not prohibit the consumption of waterpipe/shisha products in businesses, a decision on a course of action would ultimately rest with The City.

Given the well-established concerns around the smoking of shisha, along with a longstanding precedent in tobacco legislation for addressing similar concerns, Administration is recommending a prohibition on waterpipe or shisha smoking which aligns with current restrictions on tobacco. Acknowledging that there are several local businesses which depend at least in part on the sale of shisha products and which have made substantial investments to address ventilation requirements, Administration is recommending a delayed implementation until 2021 July 1 for the bylaw amendments. The delay will provide businesses time to phase out this aspect of their

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Strengthening the Smoking and Vaping Bylaw

offerings. Administration's recommendation aligns with leading practices from around the world and considers health concerns raised by stakeholders, including Alberta Health Services and other health experts. Administration is also recommending mandatory health warning signage and minimum age requirements for venues offering shisha or waterpipe in the interim. These requirements are included in the proposed amendments to the Smoking and Vaping Bylaw 23M2018 found in Attachment 1.

Multi-Unit Public Housing

To inform this report, Administration reached out to CHC for their current smoking policy. CHC has identified a review of its smoking policy as an item on its 2021 workplan. This review is expected to include consultation with the owners (The City of Calgary and the Government of Alberta) of the properties managed by CHC. The review would be conducted with consideration of governance, rental tenancy and human rights legislation regarding the balancing of interests of all tenants alongside health and safety considerations.

Hotel and Motel Rooms

With extra attention on the effects of second and third hand smoke, there has been a move away from designated smoking rooms by many hotel chains and municipalities in North America. According to a report from the American Hotel and Lodging Association, 85 per cent of US hotels offered only non-smoking rooms in 2016, up from 38 per cent in 2008. Five US States prohibit smoking in hotels, and several Alberta municipalities have implemented a similar ban. Concerns include the effect of third-hand smoke, or the residue from smoking, having negative health consequences on staff and guests, as well as hotel-wide air-quality concerns where smoking has been allowed in some rooms. With many hotel and motel chains already providing 100 per cent smoke-free rooms, Administration's recommended prohibition of designated smoking rooms is reflective of an existing industry standard.

Outdoor Public Parks

Some municipalities have chosen to address public smoking by implementing full or partial public bans on smoking. Examples include: Paris which has implemented a full ban on smoking in 52 municipal parks; Halifax which has implemented a ban on smoking on all city property except for specific designated smoking areas, and; Edmonton which has banned smoking in many city parks and increased the minimum distance required from doorways, windows and ventilation. In the six months after Edmonton's smoking bylaw was amended in 2018 October, the city saw almost a threefold increase in smoking complaints as compared to all of 2017. While Edmonton's smoking bylaw also addresses the smoking of cannabis, less than 5 per cent of the 2,687 complaints received during these six months were cannabis-related. Additionally, it was noted that cigarette litter actually increased near popular venues after the amended bylaw came into effect as a result of cigarette butt receptacles being removed as they were located within the increased distance from doorways, windows or air intakes.

Current workload for Community Peace Officers with Calgary Community Standards (CCS), coupled with current staffing levels, have resulted in delays in meeting Service Level Agreement response times to existing smoking-related infractions. Without additional funding for officers, it is expected that that current response times would be further eroded by increased complaints should smoking be banned more broadly. Administration is not recommending a further ban on smoking in parks. The experiences and costs incurred by other municipalities, increased citizen expectations, and existing enforcement capacity do not indicate a high likelihood of success for this approach.

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2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1405**

Strengthening the Smoking and Vaping Bylaw

Outdoor Public Events

Some jurisdictions have also recently moved to ban smoking at outdoor public events. For example, the City of Ottawa banned smoking at events held on municipal land. However, this has proved difficult to enforce and has recently led to events occurring on federal land within the City of Ottawa that have allowed for designated smoking areas on their grounds. Administration is not recommending a smoking ban at outdoor public events as the research and engagement conducted to inform this report showed a large level of support for continuing to allow for designated smoking areas at festivals and events.

Stakeholder Engagement, Research and Communication

Administration has conducted extensive leading practices research. A summary of leading practices regarding shisha can be found in Attachment 2.

In addition to the multiple health experts consulted through stakeholder workshops and engagement, Administration found that one of the world's leading researchers on the health and societal effects of shisha smoking is based at the University of Alberta. Administration contacted Dr. Fadi Hammal for input on Council's Motion Arising and he provided a summary of his and others' research in the letter in Attachment 3.

Administration also worked with external consultants to conduct engagement and research on Calgarians' views on further smoking restrictions. Administration forwarded invitations to all identified shisha businesses in Calgary and conducted in-person one-on-one meetings with 15 business representatives. Additionally, Administration and the engagement consultants conducted three stakeholder workshops with participants representing industry, healthcare, and professional groups. An online survey was posted for three weeks between 2019 July and August which garnered 5,172 responses. A summary What We Heard report is included in Attachment 4.

In addition to the engagement conducted, Administration also commissioned a 1000 person, statistically representative telephone survey of Calgarians' views on smoking restrictions. A topline report of the research conducted can be found in Attachment 5. It should be noted that a majority of respondents to both the online engagement and the telephone survey indicated they felt that shisha or waterpipe smoking should be allowed in restaurants or shisha lounges. However, a majority of respondents also felt that shisha or waterpipe should be subject to the same regulations as tobacco smoking.

Administration engaged representatives from the Calgary Hotel Association and was informed that none of their members provide designated smoking rooms. The association represents almost 80 per cent of available room nights in Calgary.

Opportunities for research and engagement were broadly communicated through traditional and online media. Administration continues to communicate with identified stakeholders through email updates. Communication will continue to be a primary focus for Administration as bylaws are developed and amended. If the recommendations in this report are approved by Council, Administration is planning extensive communication with Calgarians once bylaw amendments have been finalized.

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CPS2019-1405**

Strengthening the Smoking and Vaping Bylaw

Strategic Alignment

The recommended amendments in this report align with Council's Directive of a City of Safe & Inspiring Neighbourhoods. Specifically, Council directive N1: Calgarians want neighbourhoods and public spaces that are safe, accessible and inclusive for all Calgarians.

Social, Environmental, Economic (External)

Prohibiting the smoking of shisha in businesses will have social and economic impacts. As outlined in the Engagement – What We Heard Reports in Attachment 4, several business owners have identified that shisha is a primary offering at their establishments and that their business would suffer and possibly close should it be banned. Furthermore, several businesses have already made extensive investments in their ventilation systems to address the immediate safety and health concerns identified through previous inspections by the multi-agency team.

Although the number of hotels or motels offering smoking rooms in Calgary is minimal, there will likely be economic ramifications for the limited number of operators offering these services.

As identified by AHS and other stakeholders, banning smoking of shisha in businesses and banning designated hotel rooms will have a positive environmental impact on the staff and patrons of these businesses. Given that shisha has been demonstrated to be as harmful as smoking, the proposed prohibition will be in alignment with existing tobacco legislation.

Financial Capacity

Current and Future Operating Budget:

The proposed bylaw amendments and the subsequent implementation fall within the current operating budget of Calgary Community Standards. However, many of the other options considered, but not recommended, including prohibiting smoking in parks and at outdoor public events, would substantially increase operating budget requirements.

Current and Future Capital Budget:

The proposed bylaw amendments and subsequent implementation have no impact on the current capital budget of Calgary Community Standards.

Risk Assessment

The greatest risks of implementing the recommendations in this report is the potential substantial economic implications for local shisha businesses. However, the risk of not implementing the proposed bylaw amendments include the long-term health effects to staff and patrons of shisha businesses in Calgary and that venues provide avenues for young people to be introduced to smoking shisha. Experiences in other Canadian municipalities indicate a risk of bylaws being legally challenged, however all legal challenges researched by Administration had the bylaws being upheld in court.

With the Government of Alberta's recent announcement to review and introduce amendments to its tobacco and smoking legislation in 2020 Spring, there is a risk that the proposed amendments in this report may not align to provincial legislation. Delaying the implementation of these amendments until 2021 July 1 will mitigate this risk and allow The City to make adjustments ahead of implementation that would align with provincial legislation.

Community Services Report to
SPC on Community and Protective Services
2019 November 13

ISC: UNRESTRICTED
CPS2019-1405

Strengthening the Smoking and Vaping Bylaw

REASON(S) FOR RECOMMENDATION(S):

Collaboration with stakeholders including health experts and professional researchers has identified the serious health implications of allowing shisha to be smoked in public places, as well as allowing for smoking and vaping in designated hotel/motel rooms. Through Recommendation 1, Administration proposes aligning waterpipe smoking regulations with the existing regulations for tobacco and vaping through the proposed amendments to the Smoking and Vaping Bylaw in Attachment 1. Recognizing that these regulations will have serious impacts on local businesses, Administration is recommending a delayed implementation of 18 months to allow businesses the ability to plan for prohibition.

Alternatively, though Recommendation 2, Council may choose to reserve its decision to approve the proposed bylaw amendments until after the Government of Alberta passes amendments to the *Tobacco and Smoking Reduction Act*, anticipated in the Spring of 2020 to determine whether additional regulation is required to address the concerns identified in the Motion Arising.

ATTACHMENT(S)

1. Attachment 1 – Proposed Wording for an Amendment to Bylaw 23M2018, The Smoking and Vaping Bylaw
2. Attachment 2 – Waterpipe/Shisha Regulations Leading Practices
3. Attachment 3 – Letter from Waterpipe Researcher Dr. Fadi Hammal
4. Attachment 4 – Smoking & Vaping Bylaw Engagement: What We Heard
5. Attachment 5 – Smoking and Vaping Research: Topline Report

**PROPOSED WORDING FOR AN AMENDMENT TO BYLAW 23M2018,
THE SMOKING AND VAPING BYLAW**

1. Bylaw 23M2018, the Smoking and Vaping Bylaw, is hereby amended as follows:

(1) in section 2:

(a) subsection 2(1)(b) is deleted and replaced with the following:

“(b) “*cannabis*” has the meaning given to that term in the *Cannabis Act*, S.C. 2018, c.16;”;

(b) subsection 2(1)(p) is deleted and replaced with the following:

“(p) “*smoke*” or “*smoking*” means:

(i) inhaling or exhaling the smoke produced by burning or heating *tobacco, tobacco-like product, cannabis* or any other substance; or

(ii) holding or otherwise having control of any device or thing containing lit or heated *tobacco, tobacco-like product, cannabis* or any other substance;”;

and

(c) the following is added after subsection 2(1)(s) as subsection 2(1)(s.1):

“(s.1) “*tobacco-like product*” means a product, other than *tobacco*, composed in whole or in part of plants or plant products, or any extract of them, and includes the substances commonly known as shisha or hookah;”.

(2) the following is added after subsection 3(a) as subsection 3(a.1):

“(a.1) in a guest room of a hotel or motel;”.

(3) the following is added after section 5 as section 5.1:

“5.1 (1) Despite section 3(a), a person may:

(a) inhale or exhale the smoke produced by heating a *tobacco-like product*; or

(b) hold or otherwise have control of any device or thing containing heated *tobacco-like product*;

in an enclosed *public premises* where the consumption of *tobacco-like product* is permitted by the owner or occupier of the premises.

- (2) Despite section 4, an *employer, operator or proprietor* may permit a person to:

- (a) inhale or exhale the smoke produced by heating a *tobacco-like product*, or
- (b) hold or otherwise have control of any device or thing containing heated, *tobacco-like product*,

in an enclosed *public premises* controlled or owned by them.

- (3) An *employer, operator or proprietor* who permits the consumption of *tobacco-like product* on their premises:

- (a) must prominently display a sign providing information regarding the health risks associated with the consumption of *tobacco-like product*,

- (i) in the form; and

- (ii) containing the content;

prescribed by the Chief Bylaw Enforcement Officer in a location that is visible to a person immediately upon entering the premises; and

- (b) must not permit entry to any person under the age of 18 years during such times when the consumption of *tobacco-like product* is permitted in the premises.

- (4) This section ceases to have effect on July 1, 2021.”.

- (4) In **SCHEDULE “A” – PENALTIES**, under the heading indicated, after:

Section	Description of Offence	Minimum Penalty	Specified Penalty
“4	Permit person to <i>smoke</i> or <i>vape</i> where prohibited	\$50	\$200”

the following is added:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"5.1(3)(a)	Fail to display prescribed signage	\$300	\$1000
5.1(3)(b)	Permit person under 18 on premises when consumption of a <i>tobacco-like product</i> is permitted	\$300	\$1000

2. Bylaw 24M2018, the Cannabis Consumption Bylaw, is hereby amended by deleting subsection 2(1)(b) and replacing it with the following:

"(b) "*Cannabis Act*" means the *Cannabis Act*, S.C. 2018, c.16;"

3. (1) This bylaw comes into force on the day it is passed.
- (2) Despite subsection (1), subsection 1(2) comes into force on January 1, 2021.

Waterpipe/Shisha Regulations Leading Practices

Jurisdiction	Smoking Regulation	Waterpipe Venues	Court Challenges
Canada			
Ottawa	Water pipes in Public Places and Work Places By-law	Prohibited	Business owners brought a motion against the City of Ottawa. Superior Court of Justice dismissed the motion.
Vancouver	Health Bylaw No. 9535	Prohibited	Business owners took legal action against City of Vancouver. BC Supreme Court dismissed the appeal.
Montreal	Tobacco Control Act	Permitted	
Edmonton	Public Places Bylaw	Prohibited	
Winnipeg	Outdoor Smoking By-law	Prohibited outdoor	
Halifax	Bylaw N-300 Respecting Nuisances and Smoking	Regulated	
Toronto	Toronto Municipal Code Chapter 545	Prohibited	Business owners appealed the bylaw. Bylaw was upheld by the Ontario Superior Court
Charlottetown	Smoke-free Places Act	Unregulated	
United States			
City of New York	Smoke-Free Air Act	Prohibited	
New Jersey	New Jersey Smoke-Free Air Act	Prohibited	
Chicago	Chicago Clean Indoor Air Act	Prohibited	
International			
Singapore	Tobacco (Control of Advertisements and Sale) Act	Prohibited	
Rwanda	Ministry of Health Public Notice Banning Waterpipe (shisha) Tobacco	Prohibited	
Pakistan	Prohibition of Smoking and Protection of Non-Smokers Health Ordinance	Prohibited	
Amman, Jordan	Public Health Law	Prohibited	

Letter from Waterpipe Researcher Dr. Fadi Hammal

October 16, 2019

Attn: Standing Policy Committee on Community and Protective Services

RE: Cultural Practices and Health Impacts of Waterpipe

Background

In the early 1990s, Waterpipe (WP) started to be more visible and its use was spreading to new population. This trend was reflected in a paper published in 2004 by *Rastam et al.*ⁱ. The paper revealed that men and women from different age cohorts started smoking WP in early 90s and attributed this increase in smoking initiation to the introduction of flavoured tobacco which happened in the late 80s. It seems that history has repeated again, adding flavour to tobacco to make it more appealing to youth and women.

Waterpipe as a Cultural Practice

WP marketing strategies benefited from the introduction of the internet and social media platforms, and from changes that were happening in Middle Eastern (ME) societies to promote WP as an expression of refusal of the traditional rules, liberalization, and female empowerment.ⁱⁱ By contrast, in western multi-cultural societies marketing strategies promoted WP smoking as a cultural practice that is deeply rooted in the collective consciousness of ME societies. These marketing strategies played upon the western multi-cultural societies' respect for cultural practices and the careful consideration of such practices when formulating new policy or regulation. **These marketing strategies led to a false perception, among many in the western societies including Canada, that WP smoking has significant meanings and values in ME cultures system of shared beliefs, values, and customs.**

Fortunately, evidence does not support this perception. WP users from different cultural backgrounds gave similar explanations for their motivations for initiation including, not cultural practice, but access, flavor, trend, and curiosity.^{iii,iv} Evidence has revealed that this behavior was linked by some to impropriety and indignity especially among women, and it was described as a shameful and disrespectful to the society.^{ii,v} Those terms were voiced by a participant, in a qualitative study conducted in Calgary, that has cultural ties to that region indicating that her parents were embarrassed when her relatives in the country of origin knew about her smoking the WP.^{vi}

In a study conducted in USA among students who smoke WP and that have cultural ties to ME countries, only 4% of participants described WP smoking as an important part of their culture.^{vii}

In another study conducted in Calgary, community workers who have cultural ties to countries in ME did not think that WP spread has any connection with cultural practice.^{viii} Furthermore, religion which is a

factor that plays an important role in the cultural identity, especially in that part of the world, doesn't seem to support the use of WP. Participants in a qualitative study from ME saw the increase in the WP prevalence as a consequence of decreasing religious beliefs.^v A study conducted in rural Egypt assessing the impact of a Fatwa (religious ruling) on smoking that was issued by the grand Mufti of Egypt found that of WP cafés patrons, 81% thought that smoking the WP is a sin i.e., "Haram".^{ix} This attitude motivated World Health Organization (WHO-EMRO) to emphasize its role in encouraging tobacco users to stop.^{x,xi}

The higher tendency among some ethnic groups in North America to smoke WP does not necessarily reflect any cultural significance of this practice in their system of shared beliefs, values, and customs that is transmitted from generation to generation. Instead, it could be a result of 'cultural predisposition' due to normalization of this behavior subsequent to the endemic increase in the prevalence of this practice in their countries of origin. This expression of WP users' commitment to their perceived hallmarks (or identifiers?) of ethnicity or their ethnic pride^{xii} may be a mechanism of retention of ethnic identity to cope with impact of the process of acculturation in the new environment.^{xiii,xiv}

Health Effects of Waterpipe

The argument about water filtering effect and the herbal vs tobacco or the charcoal quality still being widely used without any scientific merit or support. *Shihadeh A.* revealed more than 15 years ago in a laboratory study that water only filters the nicotine without any significant impact on the other harmful chemicals.^{xv} Several laboratory studies showed that switching to herbal products has no significant impact on harmful content of both mainstream and sidestream smoke.^{xvi,xvii} Studies on the air quality in WP smoking venues in Canada and USA (where only herbal products were supposed to be smoked) showed that, in addition to the existence of nicotine vapour in some of those venues, the air quality was far from been healthy and represents public health risk for WP smokers and non-smokers, and occupational hazards for employees.^{xvi,xviii,xix,xx,xxi,xxii,xxiii}

Although some newer arguments tried to link those risks with the ignition sources promoting electronic heating sources as a healthy alternative, recently published studies does not seem to agree with this. A study conducted in Germany on electronically heated steam stone in WP showed that electronic WP released various harmful substances that significantly impact the indoor air quality.^{xxiv} In a study conducted in USA and recently published studying the impact of waterpipe smoke on alveolar cells, showed that electronically-heated shisha smoke caused significant alveolar cell damage and death. The author concluded that **"neither tobacco nor charcoal are needed for those cytotoxic effects to occur"**.^{xxv}

The increased interest in and knowledge about WP and its health effects led to a ban on WP smoking in public places in some countries, such as Syria, Lebanon and Turkey.^{xxvi,xxvii,xxviii} However, the public health response in Canada has been almost absent. **From a public health perspective, allowing a device that within 45 minutes of a smoking session, can produce about (50 L) of smoke, with poorly characterized**

chemical constituents may be very problematic and potentially illegal in relation to clean air and occupational health and safety legislation.

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Project overview

In 2018 April, Calgary City Council directed City Administration to “engage citizens and key stakeholders (including Alberta Health Services) to further strengthen the Smoking and Vaping Bylaw 23M2018 with consideration to prohibiting the following:

- Waterpipe smoking in workplaces, public premises and specified outdoor places
- Smoking in multi-unit public housing administered by The City of Calgary
- Smoking and vaping in hotel and motel rooms, in outdoor public parks, and at outdoor public events”

Administration is scheduled to report back to Council through the Standing Policy Committee on Community and Protective Services with recommendations and potential bylaw amendments in late 2019.

Engagement overview

Stakeholder workshops were held to facilitate targeted conversations with key stakeholders regarding potential increased restrictions to The City’s Smoking and Vaping Bylaw and the resulting policy implications and regulations. Stakeholders attending the workshop participated in a modified world café format where they had the opportunity to provide feedback on a series of questions through small group table discussions and to learn about other stakeholders’ varying perspectives. Stakeholder groups included business owners/operators, business organizations, educational institutions, festival and event organizers, and health and regulatory agencies. Participation was limited to two representatives from each stakeholder organization external to The City of Calgary.



Three stakeholder workshops were held over the afternoons and evening of June 17 to June 18, 2019. There were 35 participants that attended the workshops: ten at the June 17 afternoon session, 12 at the June 17 evening session and 13 at the June 18 afternoon session.

What we asked

The following questions were asked during the stakeholder workshops to collect feedback on smoking, vaping and waterpipe use in workplaces, restaurants, public premises, specified outdoor locations, hotels and motel rooms, outdoor public parks, events and pathways.

TOPIC: Workplaces, Restaurants, Public Premises and Specified Outdoor Locations

1. The direction received from Council is to consider increasing restrictions on smoking and vaping with specific consideration given to prohibiting waterpipe use in workplaces, restaurants, public premises and specified outdoor locations. Do you agree with this direction for Calgary? Why or why not?
2. Tell us more about how potential changes to smoking, vaping and waterpipe use in workplaces, restaurants, public premises and specified outdoor locations may impact you or your business or organization.
3. Should waterpipe smoking be subject to the same regulations as smoking or vaping in Calgary? (i.e. 5m from a doorway, not on transit property, etc.)
4. What other regulations or restrictions to smoking, vaping and waterpipe use in workplaces, restaurants, public premises and specified outdoor locations should we consider?

TOPIC: Hotel and Motel Rooms

1. The direction received from Council is to consider increasing restrictions on smoking, vaping and waterpipe use in hotel and motel rooms. Do you agree with this direction for Calgary? Why or why not?
2. Tell us more about how potential changes to smoking, vaping and waterpipe use in hotel and motel rooms may impact you or your business or organization.
3. Should we consider other types of restrictions or regulations to smoking, vaping or waterpipe use in hotel and motel rooms? If so, what?

TOPIC: Outdoor Public Parks, Events and Pathways

1. The direction received from Council is to consider increasing restrictions on smoking, vaping and waterpipe use in outdoor public parks, at events and on pathways. Do you agree with this direction for Calgary? Why or why not?
2. Tell us more about how potential changes to smoking, vaping and waterpipe use in outdoor public parks, at events and on pathways may impact you or your business or organization.
3. Should we consider other types of restrictions or regulations to smoking, vaping or waterpipe use in outdoor public parks, at events and on pathways? If so, what?

What we heard

Overall, there was a mixed level of support from different types of stakeholders for the complete prohibition of waterpipe use in restaurants and workplaces. Most shisha lounge owners/operators were not in favour of a complete prohibition of waterpipe use due to the impacts to their businesses, employees, social opportunities and culture. Most Shisha Lounge owners/operators were in favour of increasing restrictions and regulations in order to offer a healthier, safer place where shisha users can choose to go. Most public health agency stakeholders were in strong support for a complete prohibition of waterpipe use in restaurants and workplaces. There was some concern about the impact of second-hand smoke from shisha consumption to vulnerable populations (e.g. youth, new immigrants) that may not fully know their individual rights or feel empowered to voice their refusal to work in an unsafe environment. Some participants indicated that a combination of policy, enforcement, education and increased safety measures by businesses (e.g. improved HVAC systems) must all take place in order to reduce health impacts.

There was support for strong restrictions and enforcement regarding smoking, vaping and waterpipe use in hotel and motel rooms and that a designated outdoor area should be provided for smoking, vaping and waterpipe use.

There was support for strengthening restrictions on smoking, vaping and waterpipe use in outdoor public parks, events and pathways and that prohibiting smoking in public areas where children may be (e.g. parks, pathways, playgrounds, etc.) should be considered. It was indicated that designated smoking areas at events should also be visually separated, and away from designated cannabis and alcohol consumption areas.

- For a detailed summary of the input that was provided, please see the [Summary of Input](#) section.
- For a verbatim listing of all the input that was provided, please see the [Verbatim Responses](#) section.

Next steps

- Report back to Calgarians on what we heard and what we did in late 2019.
- Stakeholder and public feedback will help City Administration develop the recommendations to be presented to Council in Q4 of 2019.

Summary of Input

TOPIC: Workplaces, Restaurants, Public Premises and Specified Outdoor Locations

Banning Shisha Consumption	<ul style="list-style-type: none"> Participants' opinions were mixed about a complete prohibition of waterpipe use in restaurants and workplaces. Public health agency stakeholders were in favour of prohibition of waterpipe use, whereas most shisha lounge owners/operators and other business operators were in favour of strengthening restrictions and regulations rather than a complete ban. Participants were in support of age restrictions, improved ventilation systems and increased regulations for shisha lounges.
Financial Impacts	<ul style="list-style-type: none"> Participants expressed concerns about banning shisha and the significant impacts to shisha lounge owners in terms of losing their business, investments they have made to upgrade ventilation systems, staff losing their jobs and the cultural and social impacts. Shisha lounge owners/operators were concerned about how they would be compensated for their investments to upgrade their ventilation systems as requested by The City in January 2019.
Vulnerable Populations	<ul style="list-style-type: none"> Participants were concerned about the impact of smoking, vaping and waterpipe use to vulnerable populations (e.g. youth, new immigrants) that may not fully know their individual rights or feel empowered to voice their refusal to work in an unsafe environment.
Policy and Enforcement	<ul style="list-style-type: none"> Participants indicated that policy, enforcement, and education need to work together. Start on problem areas, health impacts, where people can/can't smoke, vape, etc. Once policy starts to change, then social norms will help to reduce smoking. Some participants indicated that tobacco, vape and shisha should be regulated separately.
Health Concerns	<ul style="list-style-type: none"> Participants expressed the need to focus on forcing workplaces, restaurants, etc. to make their environments healthy for staff rather than the staff being responsible for the healthy environment or being put at risk. Participants expressed concerns about health impacts of shisha in workplaces/shisha lounges on workers and patrons. Several scientific facts were provided by stakeholders to highlight the negative health impacts of shisha and to demonstrate the high level of concern for those who consume it or those exposed to it second-hand. Despite the scientific facts shared, some participants felt that smoking shisha was not as detrimental to your health as stated by health professionals. Some participants indicated that shisha establishments offer a safer environment to operate hookah pipes vs. other places that may have a higher potential for misuse, poor cleaning practices and exposure to minors.
Designated Areas	<ul style="list-style-type: none"> Participants indicated the need to consider providing designated smoking areas in order to prevent smoking in non-appropriate areas where there is greater risk for fire and inappropriate disposal. Also designated areas can reduce exposure of second-hand smoke to children and to people who choose not to smoke.
Community Gathering Places	<ul style="list-style-type: none"> Participants indicated that shisha lounges are important in providing opportunities for sober social gathering areas where you can connect with others from the community. Participants expressed concerns about the impact of banning shisha on business, culture, and social opportunities. They were also concerned that banning will encourage shisha in homes or other places around children and non-smokers and people may be at higher risk to get involved with alcohol or get into trouble.

	<ul style="list-style-type: none"> Participants indicated that shisha lounges create a sense of community and connection and that consuming shisha reduces stress. Some participants indicated that it was equally important to consider the social and cultural uses of shisha while also considering public health.
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TOPIC: Hotel and Motel Rooms

Strengthening Restrictions	<ul style="list-style-type: none"> Overall, participants were in support of strong restrictions to smoking, vaping and waterpipe use in hotel and motel rooms and indicated that Calgary may be behind on total bans in hotel and motel rooms versus other major cities.
Enforcement	<ul style="list-style-type: none"> Participants felt that there needs to be better enforcement on smoking on the premises at hotels and motels.
Designated Areas	<ul style="list-style-type: none"> Participants indicated that designated smoking areas need to be provided so people don't smoke elsewhere in non-appropriate areas. Participants also indicated that designated smoking areas should be placed away from windows, doorways, air intake systems and where children may be.

TOPIC: Outdoor Public Parks, Events and Pathways

Strengthening Restrictions	<ul style="list-style-type: none"> Participants were generally in support of strengthening restrictions on smoking, vaping and waterpipe use in outdoor public parks, events and pathways. However, some participants didn't see an issue with smoking outside as long as it wasn't around children. Participants indicated that signage should be placed to indicate where designated areas are located in parks and at events. There was some confusion about why cannabis use was allowed in areas where smoking, vaping and water pipe use was not.
Youth	<ul style="list-style-type: none"> Participants suggested that there should be consideration for prohibiting smoking in all public areas where children may be (i.e. parks, paths, playgrounds, etc.). Participants indicated that they were concerned about the potential of modelling behaviour with children being able to see the smoking activities.
Clear Policy	<ul style="list-style-type: none"> Participants indicated that there needs to be clear definitions of parks in the bylaw that clearly demonstrate where anyone can go without restrictions (children, pets, adults, etc.).
Designated Areas	<ul style="list-style-type: none"> Participants felt that designated smoking areas at events should be provided and that they be visually separated, and away from designated cannabis and alcohol consumption areas.
Fire Safety	<ul style="list-style-type: none"> Participants felt that it is important to investigate the number of fires / grass fires that occur in parks to establish whether they were contributed to by smoking, vaping and/or waterpipe use.

Smoking and Vaping Bylaw Engagement

Online Engagement

Report Back: What We Heard

June / July 2019

Project overview

In April 2018, Calgary City Council directed City Administration to “engage citizens and key stakeholders (including Alberta Health Services) to further strengthen the Smoking and Vaping Bylaw 23M2018 (hereafter also referred to as The City of Calgary’s Smoking Bylaw) with consideration to prohibiting the following:

- Waterpipe smoking in workplaces, public premises and specified outdoor places
- Smoking in multi-unit public housing administered by The City of Calgary
- Smoking and vaping in hotel and motel rooms, in outdoor public parks, and at outdoor public events”

Administration is scheduled to report back to Council through the Standing Policy Committee on Community and Protective Services with recommendations and potential bylaw amendments in late 2019.

Engagement overview



The City hosted a questionnaire on its online Engage platform to solicit feedback from Calgarians regarding a review of The City’s Smoking and Vaping Bylaw and the resulting policy implications and regulations. Along with the questions, participants were provided with information regarding current legislation and terms and definitions relating to smoking methods and products. The questionnaire was hosted on The City of Calgary’s online Engage portal from June 17 – July 7, 2019 and received 5,172 responses.

What we asked

The following questions were asked using The City of Calgary’s online Engage portal to collect feedback on smoking, vaping and waterpipe use in workplaces, restaurants, public premises, specified outdoor locations, hotels and motel rooms, outdoor public parks, events and pathways.

Strengthening The City of Calgary’s Smoking and Vaping Bylaw

1. **Are you familiar with The City of Calgary’s Smoking Bylaw that addresses smoking and vaping of tobacco in Calgary?**

Very familiar | Somewhat familiar | Not really familiar | Not aware of it at all | Prefer not to answer

2. **Based on your understanding of the Provincial and Municipal regulations, select the answer that best reflects your opinion about The City of Calgary’s Smoking and Vaping Bylaw:**



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The bylaw should be strengthened to further restrict smoking, vaping and waterpipe use |

The bylaw is adequate and does not need to be further strengthened |

Don't know/prefer not to answer | If you selected 'The bylaw should be strengthened to further restrict smoking, vaping and waterpipe use' above, please tell us how.

SMOKING

3. For each of these types of spaces, please indicate whether you think smoking should be allowed or should not be allowed.

- In designated hotel and motel rooms
- Near a bus stop, bus shelter or C-train station
- In parks with athletic facilities (e.g. skate parks, sports field, outdoor skating rink, racquet courts, outdoor track)
- In parks with playgrounds (e.g. play structure, spray park / water play park)
- Near outdoor pool
- On public park trails and pathways (e.g. Bow River Pathway System)
- At outdoor public events (e.g. market, festival, concert)
- Sidewalks in all public areas
- Near a door, window or air intake of any building
- In workplaces or restaurants (e.g. shisha lounges, vape shops)

VAPING

4. For each of these types of spaces, please indicate whether you think vaping should be allowed or should not be allowed.

- In designated hotel and motel rooms
- Near a bus stop, bus shelter or C-train station
- In parks with athletic facilities (e.g. skate parks, sports field, outdoor skating rink, racquet courts, outdoor track)
- In parks with playgrounds (e.g. play structure, spray park / water play park)
- Near outdoor pool
- On public park trails and pathways (e.g. Bow River Pathway System)
- At outdoor public events (e.g. market, festival, concert)
- Sidewalks in all public areas
- Near a door, window or air intake of any building
- In workplaces or restaurants (e.g. shisha lounges, vape shops)



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WATERPIPE

5. For each of these types of spaces, please indicate whether you think waterpipe use should be allowed or should not be allowed.

- In designated hotel and motel rooms
- Near a bus stop, bus shelter or C-train station
- In parks with athletic facilities (e.g. skate parks, sports field, outdoor skating rink, racquet courts, outdoor track)
- In parks with playgrounds (e.g. play structure, spray park / water play park)
- Near outdoor pool
- On public park trails and pathways (e.g. Bow River Pathway System)
- At outdoor public events (e.g. market, festival, concert)
- Sidewalks in all public areas
- Near a door, window or air intake of any building
- In workplaces or restaurants (e.g. shisha lounges, vape shops)

Regulating shisha and waterpipe use

6. Currently shisha (herbal or herbal/tobacco blend product) and waterpipes (or hookahs) are not treated the same as smoking or vaping, and are allowed in restaurants or lounges. Should they be regulated the same way as smoking and vaping?

Yes | No | No, but they should be subject to further regulations | Don't know/ Prefer not to answer | Please tell us why

Designated smoking areas at outdoor public events

7. Should public events such as markets, festivals and concerts be allowed to have designated smoking areas where smoking, vaping or waterpipe use are allowed?

Yes | No | Don't know/ Prefer not to answer

Enforcement of restrictions on smoking, vaping or waterpipe use in public

8. How important is it to you that The City has the resources to enforce restrictions on smoking, vaping or waterpipe use in public? This could mean hiring additional enforcement officers or adjusting enforcement priorities

Very important | Somewhat important | Not very important | Not at all important | Don't know/ Prefer not to answer

Waterpipe use in The City of Calgary's Smoking Bylaw

9. Currently smoking and vaping are treated the same in Calgary's Smoking Bylaw – should waterpipe use also be:



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Treated the same | Treated differently | Not sure | Please tell us why

Cigarette Litter

10. How important is it to you that The City focuses resources on reducing cigarette litter in public places?

Very important | Important | Not important

11. How much would you be comfortable with The City spending (per year) to address cigarette litter in public places?

No additional investment (\$0) | Less than \$50,000 | \$50,000 to \$100,000 | \$100,001 to \$500,000 | More than \$500,000



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Demographics

To help us better understand and analyze the feedback we received, we asked respondents to answer the following questions. Note: Respondents' answers are anonymous:

12. Which of the following apply to you (please select all that apply):

Resident of Calgary | Business owner or manager in Calgary | Government agency employee | Not-for-profit or charitable organization | Prefer not to answer | Other (please specify)

13. With which gender do you identify:

Female | Male | Prefer Not to Answer | Other (please specify)

14. Please select your age range:

Under 18 | 18-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65 and over | Prefer not to answer

15. Do you currently:

Smoke tobacco | Vape (products with or without nicotine) | Smoke shisha (herbal or herbal/tobacco blend product)

16. What are the first three digits of your postal code?

17. How did you hear about this survey?

In the news (TV news, newspaper, etc.) | Through social media (Facebook, Twitter, etc.) | Word of mouth | Other (please specify)

What we heard

Strengthening The City of Calgary's Smoking and Vaping Bylaw

The majority of respondents were somewhat or very familiar with The City of Calgary's Smoking Bylaw and how it addresses smoking and vaping of tobacco in Calgary.

Based on their understanding of the provincial and municipal regulations, respondents' opinions were mixed about whether the bylaw should be strengthened to further restrict smoking, vaping and waterpipe use in Calgary. Slightly more respondents indicated that the current bylaw is adequate than those that thought it should be further strengthened.



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Respondents were mostly supportive of strengthening the bylaw to further restrict smoking, vaping and waterpipe use in the following locations:

- Near a bus stop, bus shelter or C-train station
- In parks with athletic facilities (e.g. skate parks, sports field, outdoor skating rink, racquet courts, outdoor track)
- In parks with playgrounds (e.g. play structure, spray park / water play park)
- Near outdoor pools
- Near a door, window or air intake of any building

Respondents' opinions were mixed about whether the following locations should further restrict smoking, vaping and waterpipe use:

- In designated hotel and motel rooms
- On public park trails and pathways (e.g. Bow River Pathway System)
- At outdoor public events (e.g. market, festival, concert)
- Sidewalks in all public areas
- In workplaces or restaurants (e.g. shisha lounges, vape shops)

Regulating shisha and waterpipe use

Respondents' feedback was mixed regarding whether shisha should be treated the same way as smoking and vaping in restaurants. Some respondents indicated that shisha and waterpipe use should not be treated the same as smoking and vaping and that shisha and waterpipe use should be subject to further regulations.

Designated smoking areas at outdoor public events

The majority of respondents were supportive of designated areas for smoking, vaping and waterpipe use at outdoor public events such as markets, festivals and concerts.

Enforcement of restrictions on smoking, vaping or waterpipe use in public

Respondents' opinions were mixed on how important it is that The City has the resources to enforce restrictions on smoking, vaping or waterpipe use in public.

Waterpipe use in The City of Calgary Smoking and Vaping Bylaw

A slight majority of respondents felt that waterpipe use should be treated the same as smoking and vaping in The City's Smoking Bylaw because of the health risks associated with second-hand exposure to smoke and vapour from them and for consistency within the bylaw about smoking, vaping and waterpipe use.



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Cigarette litter

The majority of respondents felt that it is important or very important that The City focuses resources on reducing cigarette litter in public places. Opinions were mixed on the dollar amount that should be dedicated to reducing cigarette litter in public places annually.

- For a detailed summary of the input that was provided, please see the [Summary of Input](#) section.
- For a verbatim listing of all the input that was provided, please see the [Verbatim Responses](#) section.

Next steps

- Report back to Calgarians on what we heard and what we did in late 2019.
- Stakeholder and public feedback will help City Administration develop the recommendations to be presented to Council in Q4 of 2019.



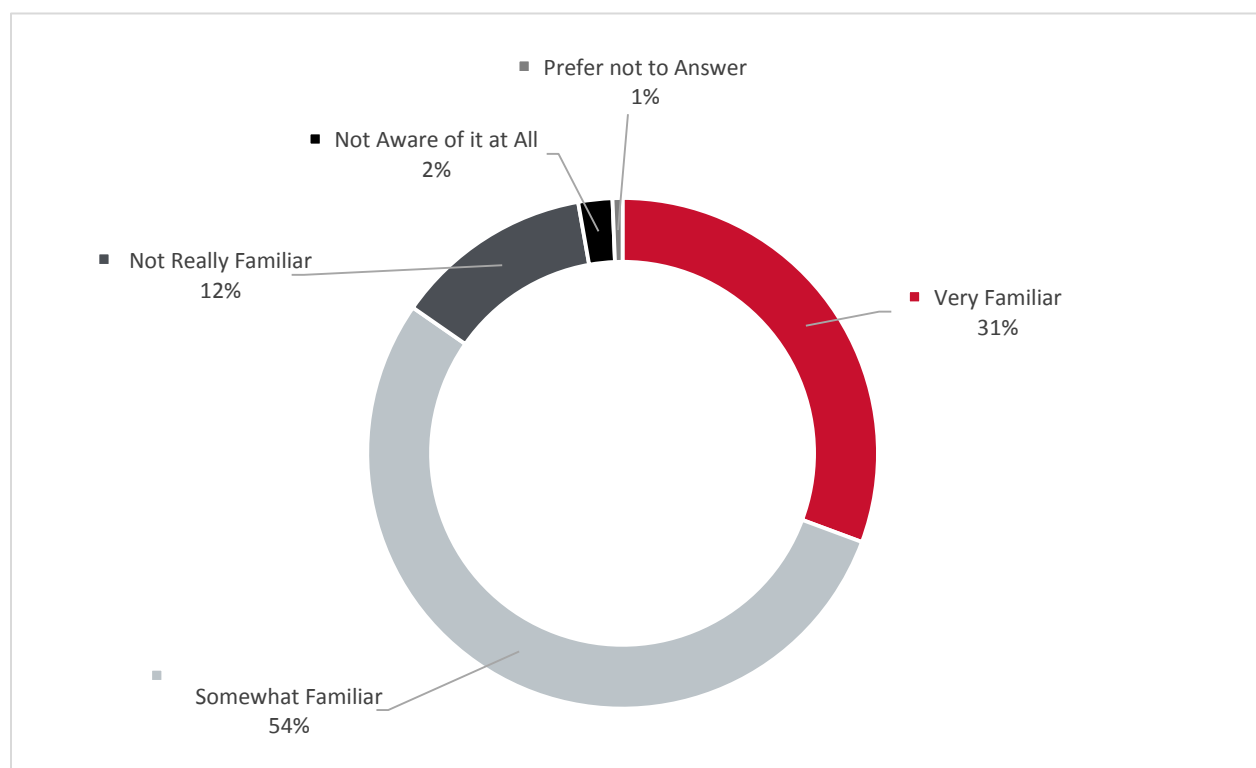
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Summary of Input

Strengthening The City of Calgary's Smoking and Vaping Bylaw

1. Are you familiar with The City of Calgary's Smoking Bylaw that addresses smoking and vaping of tobacco in Calgary?

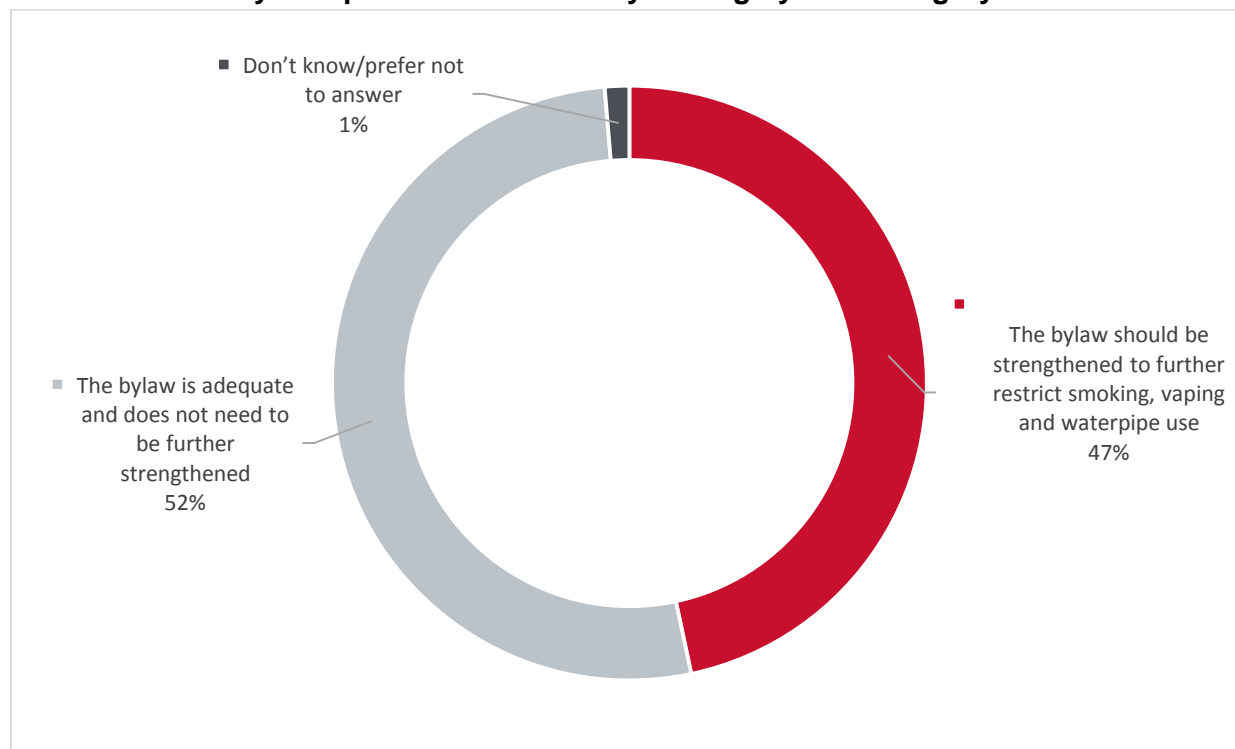




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2. Based on your understanding of the Provincial and Municipal regulations, select the answer that best reflects your opinion about The City of Calgary's Smoking Bylaw:



If participants selected 'The bylaw should be strengthened to further restrict smoking, vaping and waterpipe use' above, we asked them to please tell us how:

- Many respondents expressed that all forms of smoking should be treated the same and prohibited in all public places as smoke cannot be contained; therefore non-smokers are exposed to second-hand smoke and its health risks. In particular, parks were identified as a public space to limit smoking; sidewalks, pathways and locations frequented by children and youth were also mentioned as spaces to limit smoking, though to a lesser degree than parks.
- Respondents voiced the need for increased enforcement, whether the Bylaw is strengthened or not.
- Respondents suggested ideas for all indoor and outdoor designated smoking areas including: separated smoking huts, smoking rooms, and spaces that are a greater distance from entrances and windows.
- Respondents' opinions were mixed about whether indoor waterpipe use at shisha lounges should be restricted. Some respondents were supportive of having a designated enclosed space for indoor waterpipe use, such as shisha lounges, as long as these locations include clear signage (similar to



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alcohol). Others felt that if shisha is treated the same as tobacco, then indoor waterpipe use should be prohibited in the same way as tobacco and vaping products.

- Several respondents felt that the current Bylaw is too restrictive and should be left the same or be less restrictive in order to provide more freedom for Calgarians who choose to smoke, vape or use waterpipes.

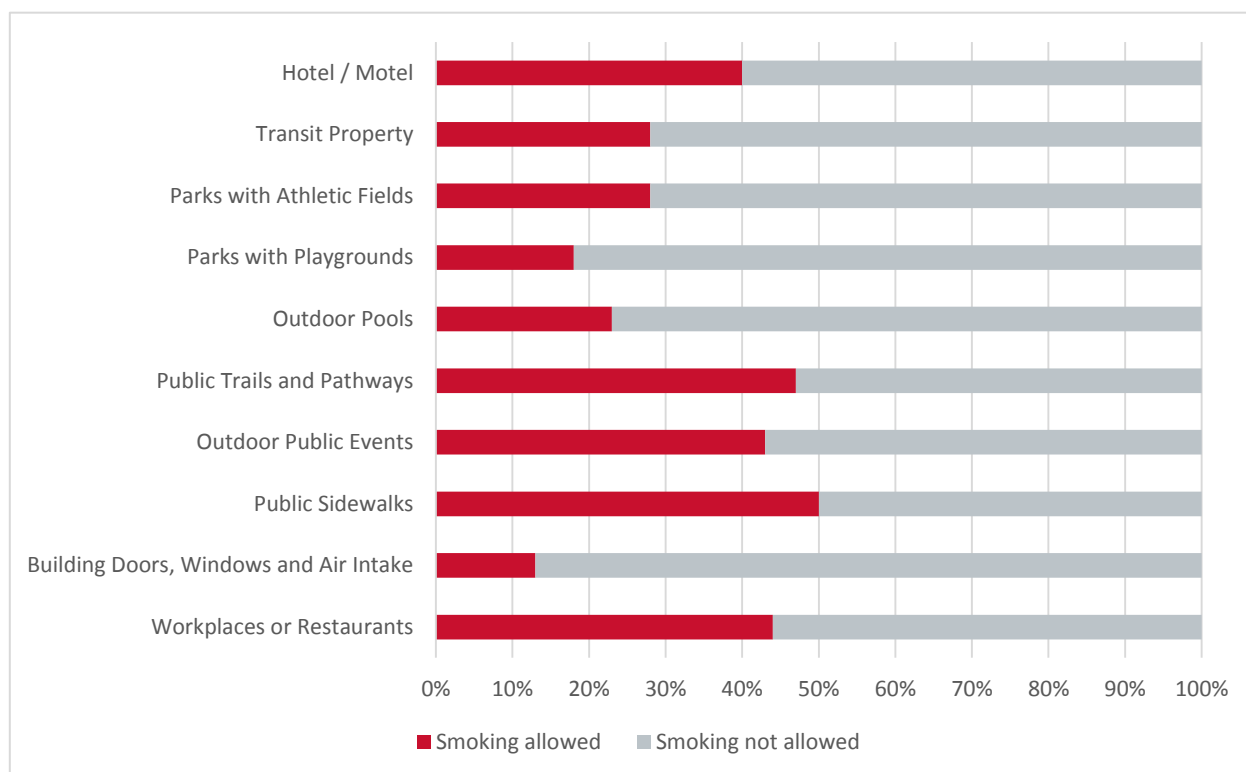


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SMOKING

3. For each of these types of spaces, please indicate whether you think smoking should be allowed or should not be allowed.



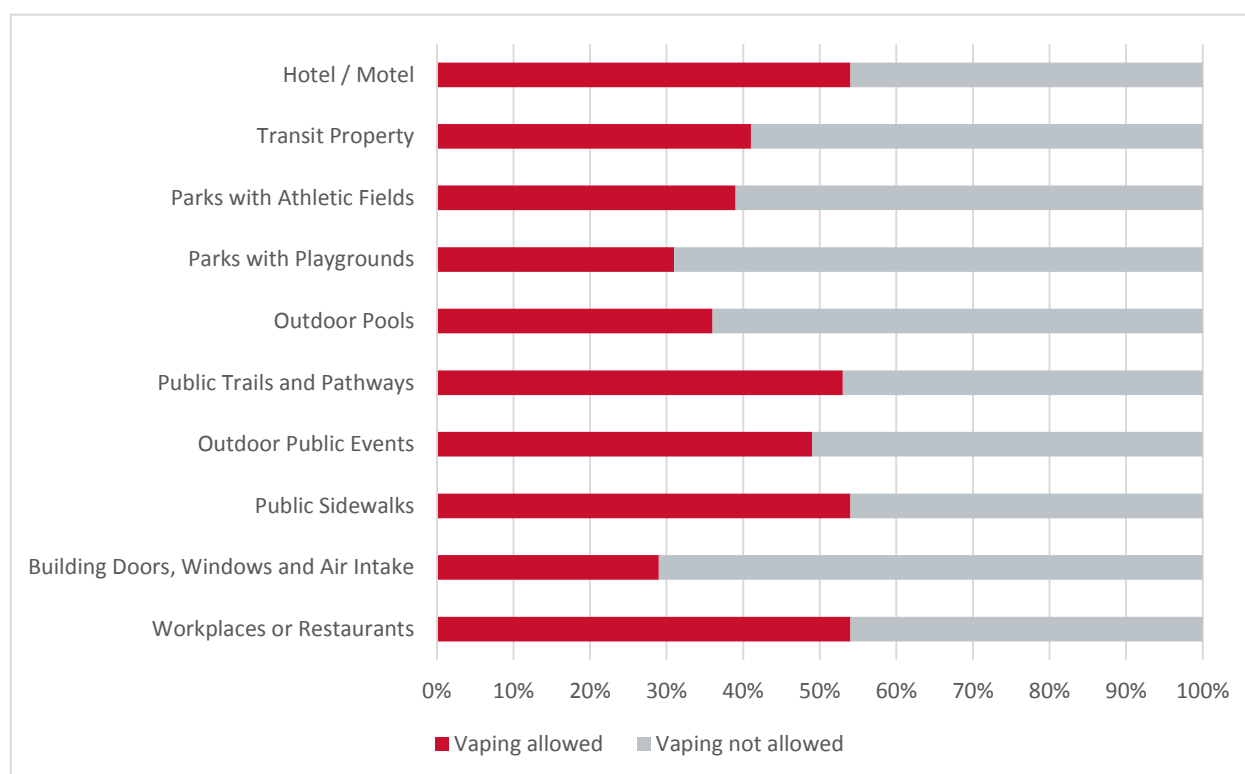


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VAPING

4. For each of these types of spaces, please indicate whether you think vaping should be allowed or should not be allowed.



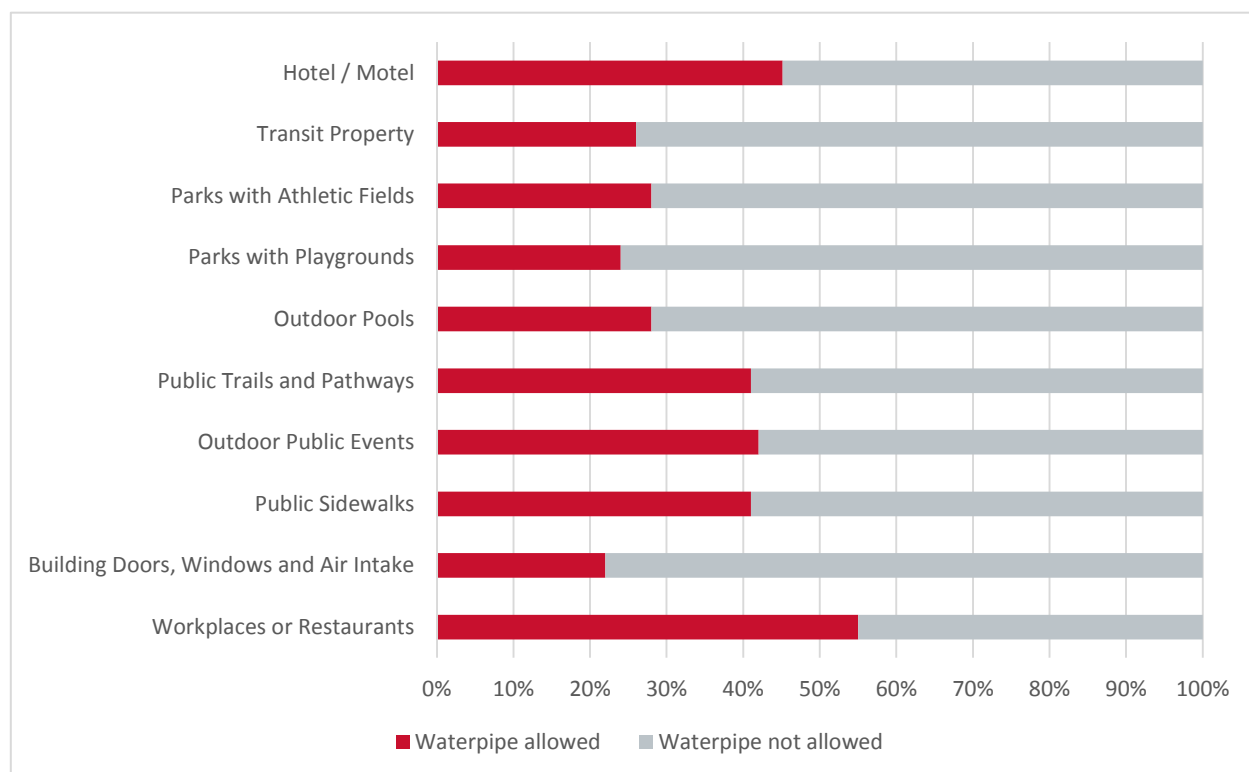


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WATERPIPE

5. For each of these types of spaces, please indicate whether you think waterpipe use should be allowed or should not be allowed.



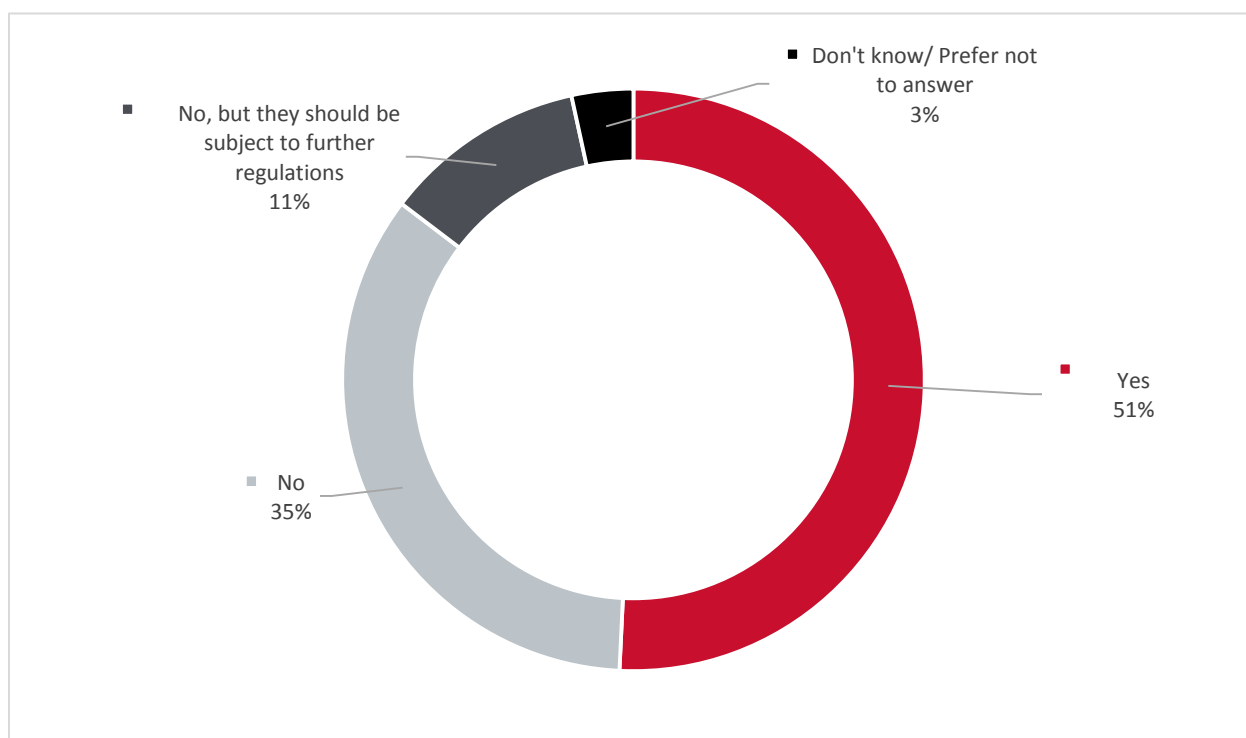


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Regulating shisha and waterpipe use

6. Currently shisha (herbal or herbal/tobacco blend product) and waterpipes (or hookahs) are not treated the same as smoking or vaping, and are allowed in restaurants or lounges. Should they be regulated the same way as smoking and vaping?



If participants selected 'Yes', 'No' or 'No, but they should be subject to further regulations' above, we asked them to please tell us why:

- Respondents that felt shisha should be treated the same way as smoking and vaping in restaurants thought so because:
 - Second-hand exposure to smoke by patrons, employees and those with allergies can pose health risks that should be limited in the business establishment
 - Exposure to youth and vulnerable populations can create learned behaviour and normalize smoking
- Respondents that indicated shisha should not be treated the same as smoking and vaping in restaurants and lounges thought so because:
 - Shisha lounges are a designated establishment where customers can choose to go to smoke shisha and gather socially without being exposed to the consumption of alcohol



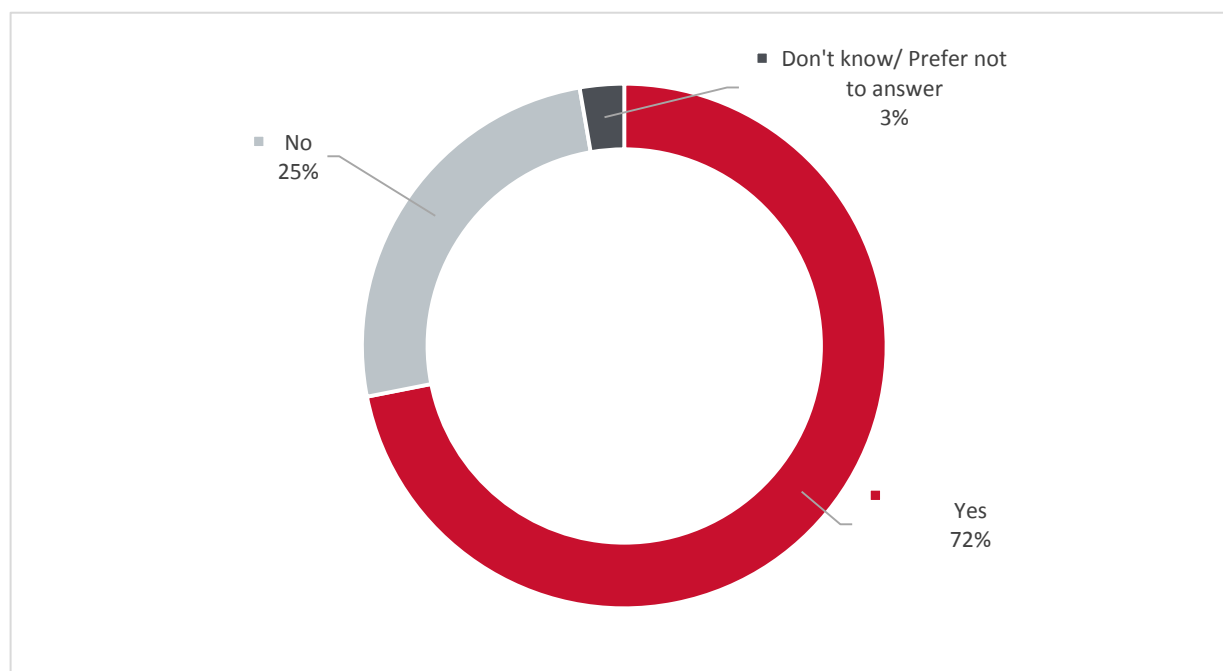
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- Banning shisha in restaurants will have a severe impact to the business owners and their employees' livelihoods
- Respondents that indicated shisha should be subject to further regulations thought so because:
 - Potential health risks associated with toxins and carcinogens are present in shisha and efforts should be made to limit exposure to them.
 - Exposure to second-hand smoke can have a significant impact to individuals and the health care system for treatment of exposure-related health problems.

Designated smoking areas at outdoor public events

7. Should public events such as markets, festivals and concerts be allowed to have designated smoking areas where smoking, vaping or waterpipe use are allowed?



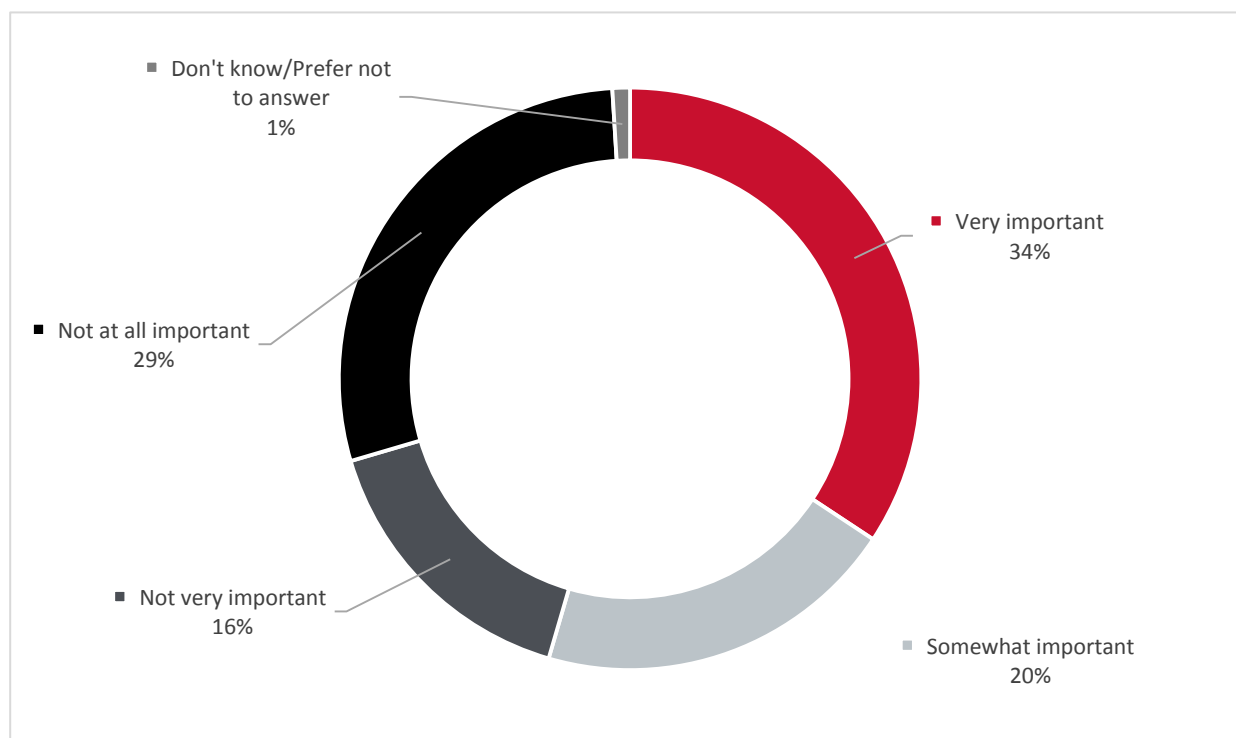


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Enforcement of restrictions on smoking, vaping or waterpipe use in public

8. How important is it to you that The City has the resources to enforce restrictions on smoking, vaping or waterpipe use in public? This could mean hiring additional enforcement officers or adjusting enforcement priorities.



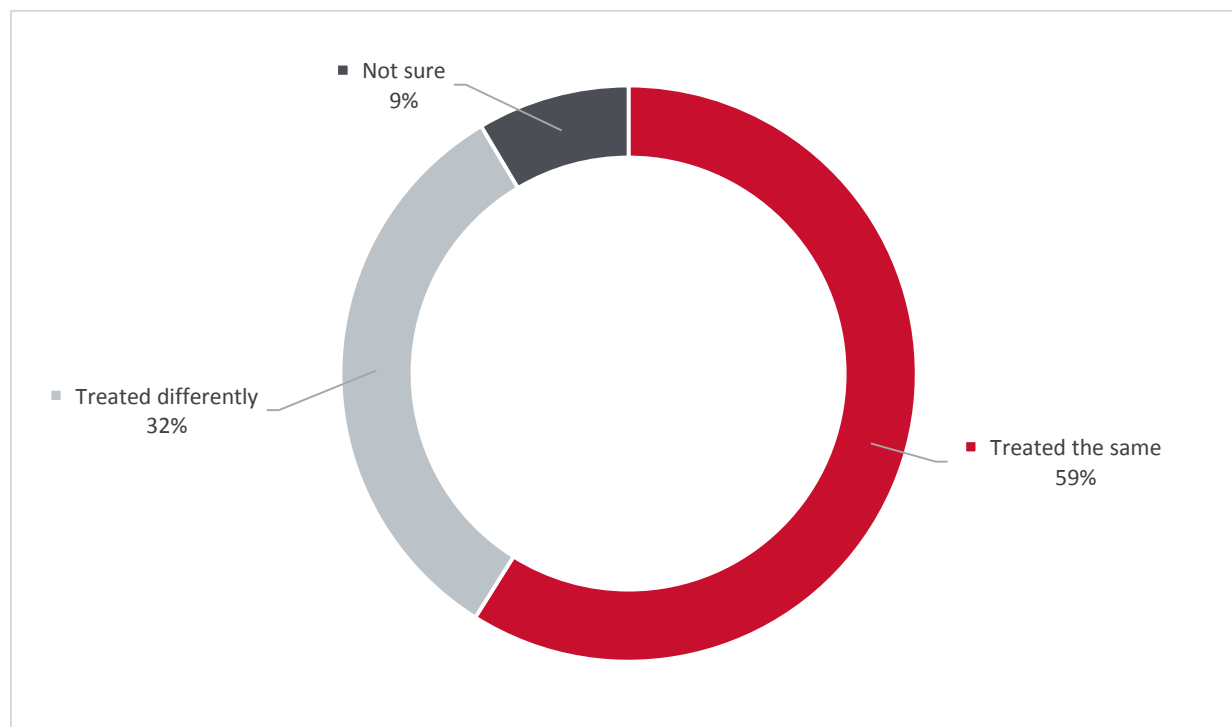


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Report Back: What We Heard
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Waterpipe use in The City of Calgary Smoking and Vaping Bylaw

9. Currently smoking and vaping are treated the same in Calgary's Smoking Bylaw – should waterpipe use also be?



If participants selected 'Treated the same' or 'Treated differently' above, we asked them to please tell us how:

- Respondents who felt waterpipes should be treated the same in Calgary's Smoking Bylaw thought so because:
 - Waterpipe use is the same as smoking and vaping, so they should all be treated the same way
 - There are still health risks to those individuals who use waterpipes
 - Waterpipes give off second-hand smoke/vapour and negatively impact others, in particular people with allergies
 - The City should ensure consistency and clarity with rules and enforcement and aim to eliminate the potential for misinterpretation
 - There is a need to keep waterpipe use away from where children and youth are located and out of public places
- Respondents that felt waterpipes should be treated differently in Calgary's Smoking Bylaw thought so because:



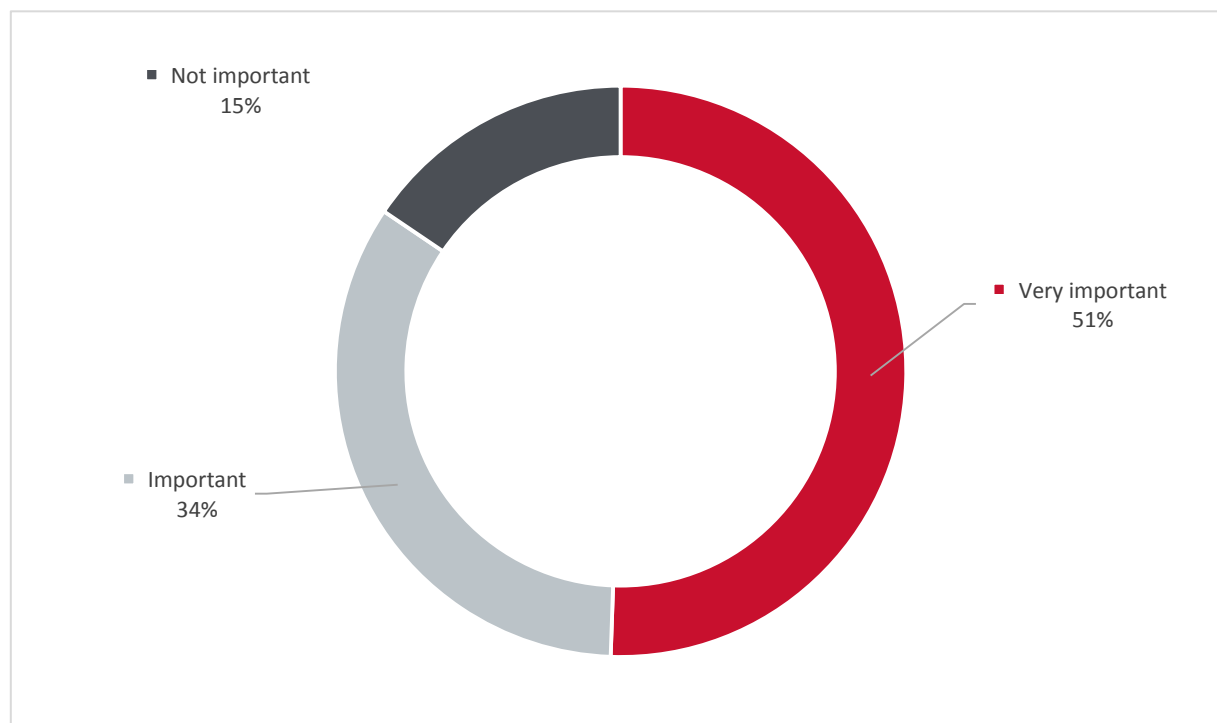
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- Waterpipes are not easily transported, so it is not necessary to treat them the same as smoking and vaping
- Waterpipe use has a cultural significance and social component to it
- The impacts to the waterpipe user and others are different and less harmful than smoking and vaping
- Shisha is an herbal product and is not addictive
- People that go to shisha lounges choose to be there and minors are not allowed to be present
- There is the option for additional regulations that could be required for shisha lounges to protect health and safety of users and employees
- Waterpipes do not produce the same amount of air pollution or litter as cigarettes
- Waterpipe use is not an issue so it is not necessary to regulate use and it would be a waste of money

Cigarette Litter

10. How important is it to you that The City focuses resources on reducing cigarette litter in public places?



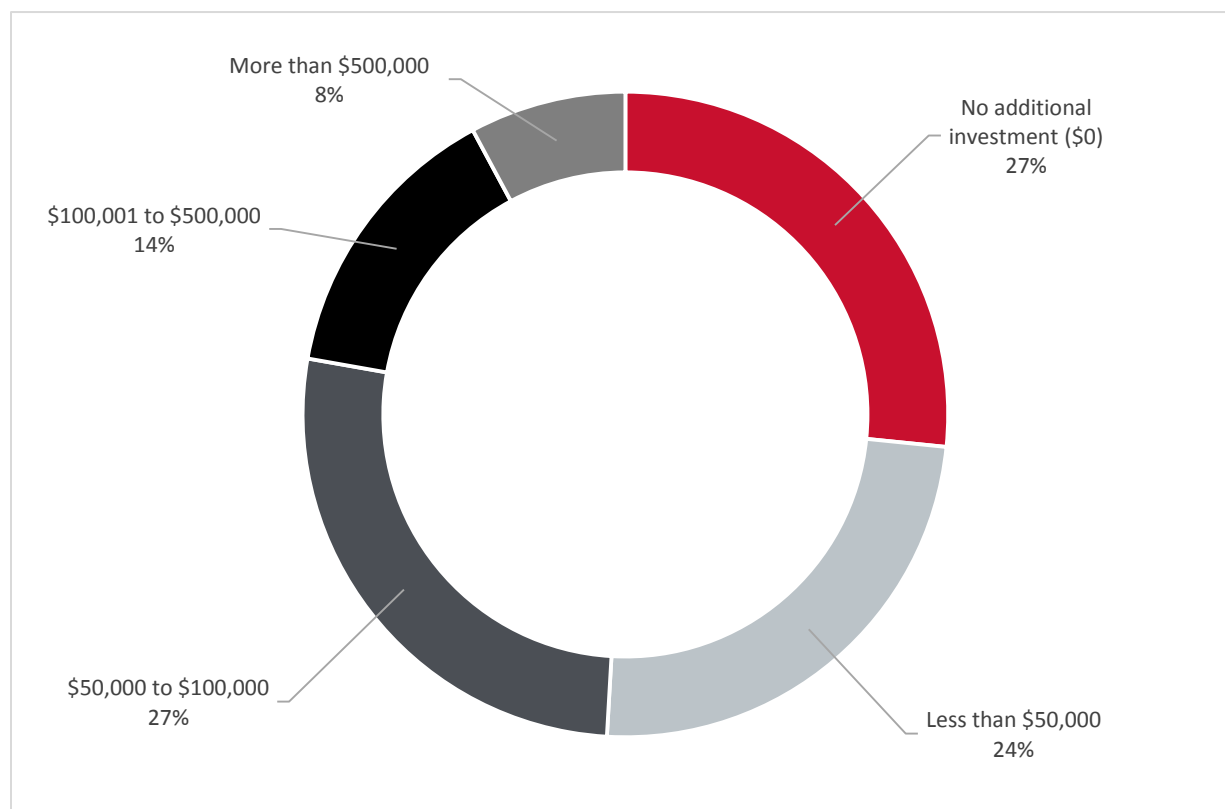


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11. How much would you be comfortable with The City spending (per year) to address cigarette litter in public places?





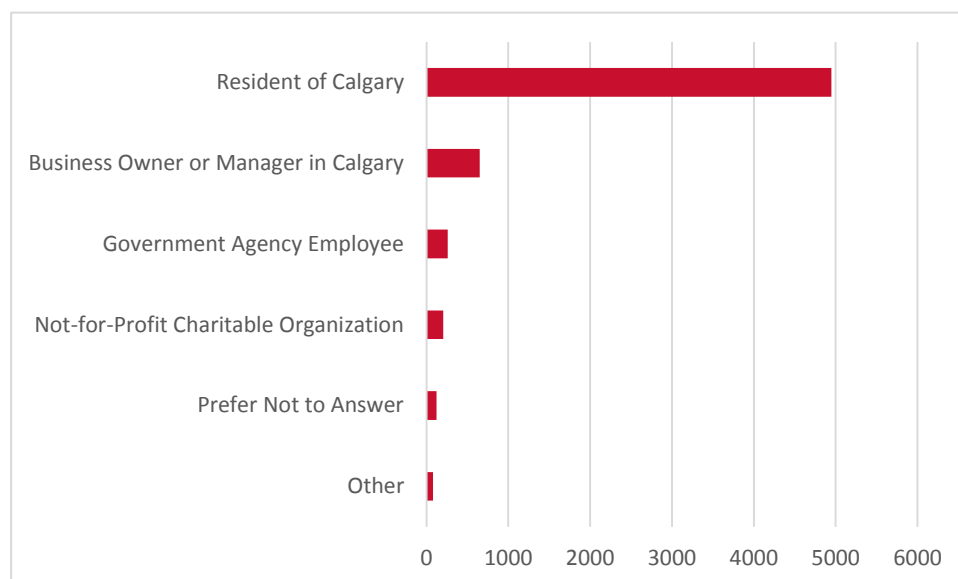
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DEMOGRAPHIC QUESTIONS

To help us better understand and analyze the feedback we receive, please answer the following questions. Note that your answers will not be in anyway linked to you or your household:

1. Which of the following apply to you (please select all that apply):

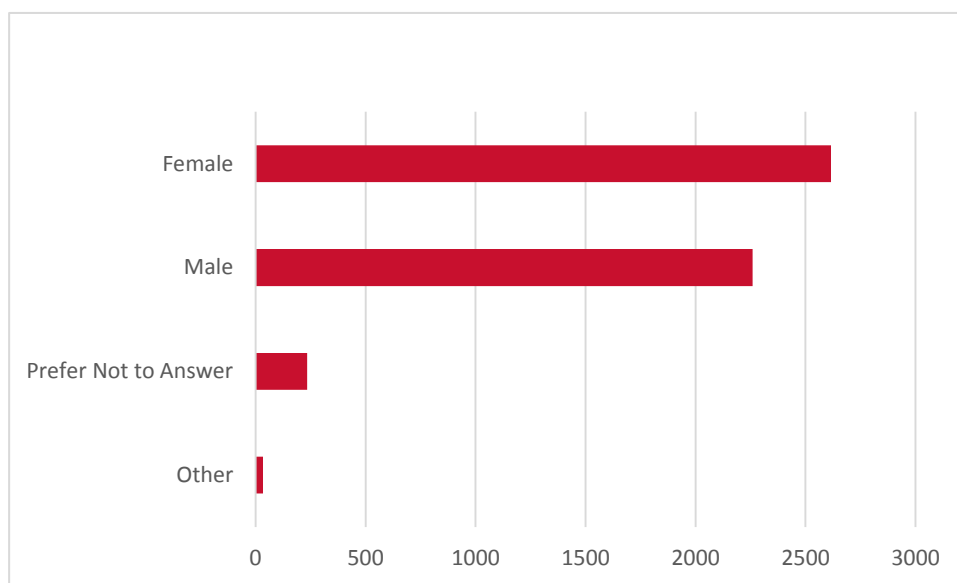




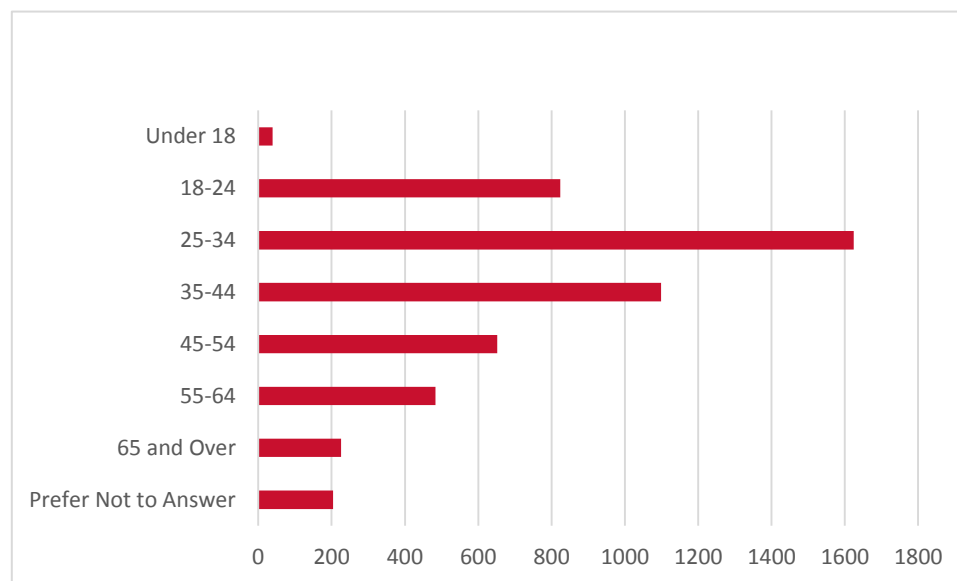
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2. With which gender do you identify:



3. Please select your age range:

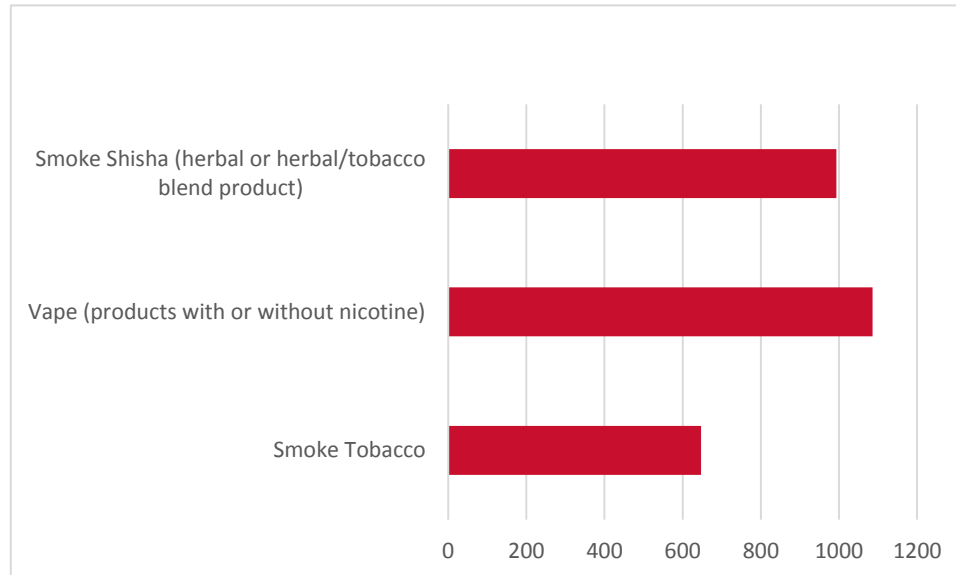




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4. Do you currently:





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5. What are the first three digits of your postal code?

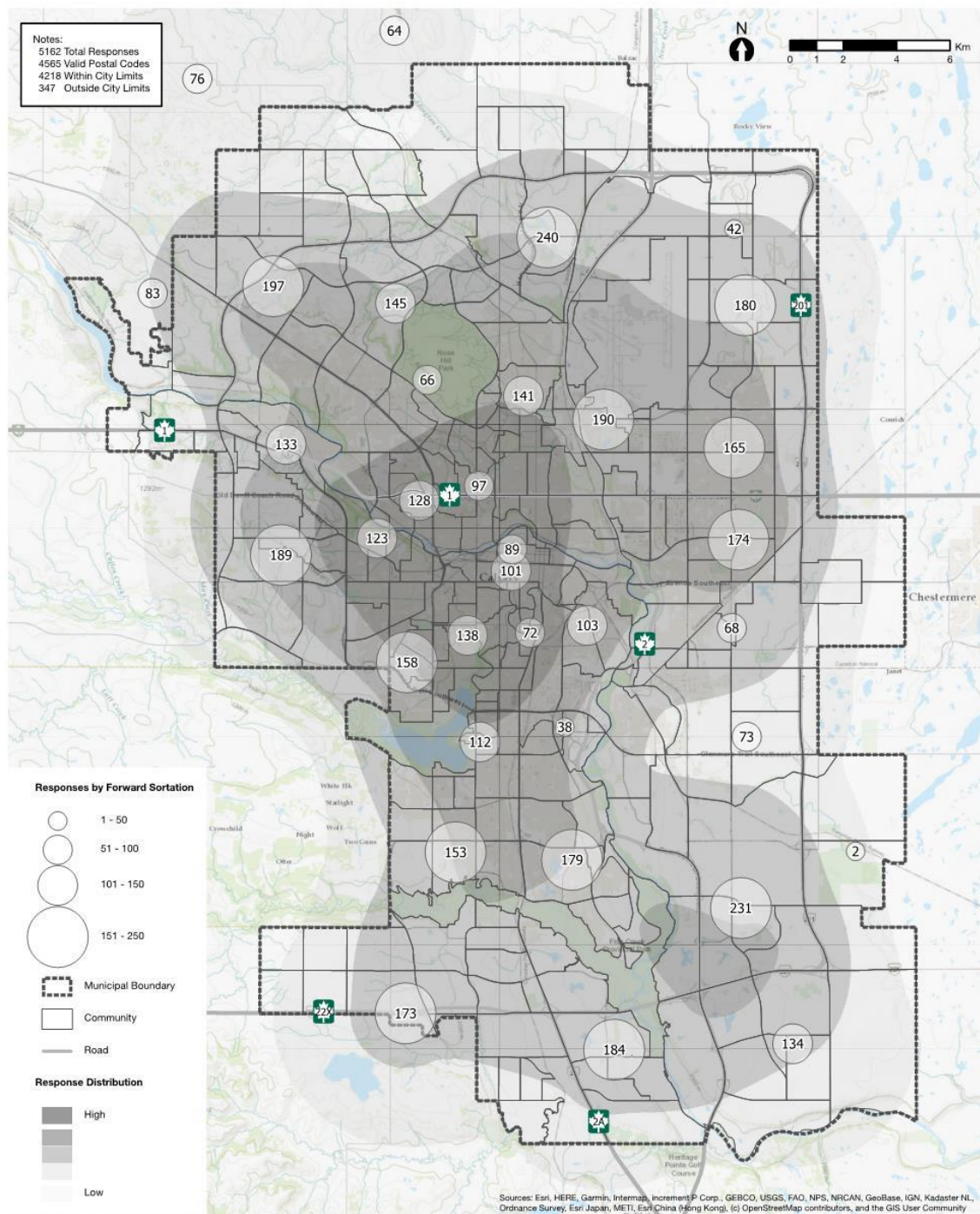


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Smoking Bylaw Engagement

Survey Response by Postal Code Forward Sortation Area

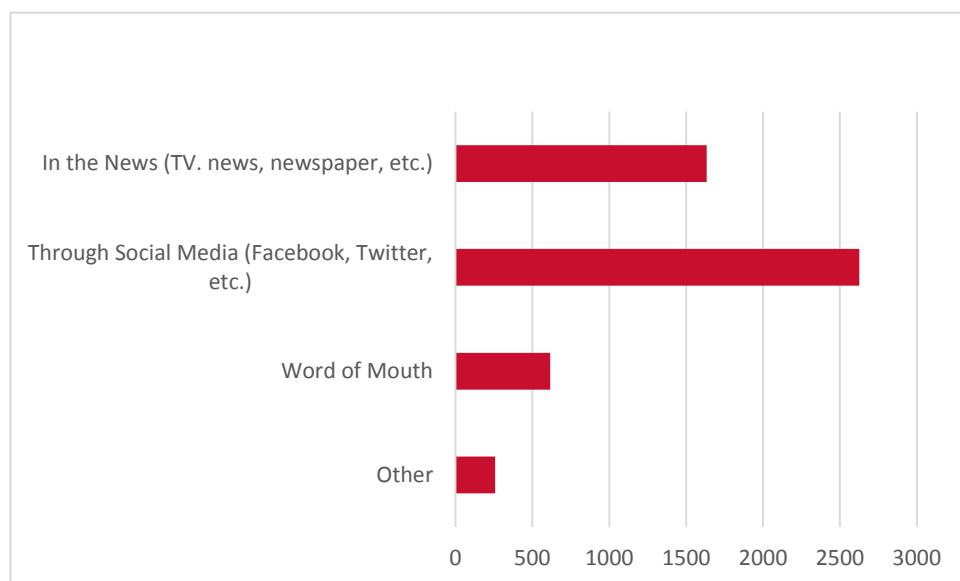




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6. How did you hear about this survey?





Smoking and Vaping Bylaw Engagement Stakeholder Interview

Report Back: What We Heard
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Project overview

In April 2018, Calgary City Council directed City Administration to “engage citizens and key stakeholders (including Alberta Health Services) to further strengthen the Smoking and Vaping Bylaw 23M2018 with consideration to prohibiting the following:

- Waterpipe smoking in workplaces, public premises and specified outdoor places
- Smoking in multi-unit public housing administered by The City of Calgary
- Smoking and vaping in hotel and motel rooms, in outdoor public parks, and at outdoor public events.”

Administration is scheduled to report back to Council through the Standing Policy Committee on Community and Protective Services with recommendations and potential bylaw amendments in late 2019.

Engagement overview

Stakeholder interviews were held to facilitate targeted conversations with shisha lounge owners/operators who may be directly impacted by increased restrictions to The City’s Smoking and Vaping Bylaw and the resulting policy implications and regulations. Shisha lounge owners/operators received an invitation to attend a face-to-face meeting to discuss the project and potential implications to their businesses in advance of stakeholder workshops and online public engagement. As this stakeholder group has a vested interest and may be directly impacted by potential amendments to The City’s Smoking and Vaping Bylaw, it was important to provide opportunities to meet with representatives of the shisha lounges to learn more about their specific concerns, impacts to their businesses and potential opportunities to be considered.



Invitations were sent to 32 shisha lounge owners/operators.

Stakeholder interviews were held with 15 shisha lounge owners/operators (in-person or over the phone) from June 3, 2019, through to June 14, 2019.

What we asked

The following questions were asked during the stakeholder interviews to collect feedback on smoking, vaping and waterpipe use in workplaces, restaurants, public premises and specified outdoor locations:



Smoking and Vaping Bylaw Engagement Stakeholder Interview

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5. The direction received from Council is to consider increasing restrictions on smoking and vaping, with specific consideration given to prohibiting waterpipe use in workplaces, restaurants, public premises and specified outdoor locations. Do you agree with this direction for Calgary? Why or why not?
6. Tell us more about how potential changes to regulations for smoking, vaping and waterpipe use in workplaces, restaurants, public premises and specified outdoor locations may impact you or your business or organization.
7. Should waterpipe smoking be subject to the same regulations as smoking or vaping in Calgary? (i.e. 5m from a doorway, not on transit property, etc.)
8. What other regulations or restrictions to smoking, vaping and waterpipe use in workplaces, restaurants, public premises and specified outdoor locations should we consider?

What we heard

Overall, there was little support for the complete prohibition of waterpipe use in restaurants and workplaces. Instead, most shisha lounge owners/operators were in favour of increasing restrictions and regulations (e.g. upgrades to ventilation systems, no minors or alcohol and shisha-specific registration/licensing) to offer a healthier, safer place where shisha users can choose to go.

If The City of Calgary decides to move ahead with the prohibition of waterpipe use in restaurants and workplaces, most shisha lounge owners/operators felt they would require an adequate amount of time (5 to 10 years) before a complete ban could take place. This preferred schedule would allow operators to fulfill lease obligations while providing more time to offset business investments, including the required costs to upgrade heating, ventilation and air conditioning HVAC systems.

- For a detailed summary of the input that was provided, please see the [Summary of Input](#) section.
- For a verbatim listing of all the input that was provided, please see the [Verbatim Responses](#) section.

Next steps

- Report back to Calgarians on what we heard and what we did in late 2019.
- Stakeholder and public feedback will help City Administration develop the recommendations presented to Council in Q4 of 2019.



Smoking and Vaping Bylaw Engagement Stakeholder Interview

Report Back: What We Heard
June 2019

Summary of input

Banning Shisha Consumption	<ul style="list-style-type: none"> Participants, for the most part, did not agree with prohibiting waterpipe use in shisha lounges; however, they were supportive of additional regulations, licensing and restrictions on these types of businesses. Participants were supportive of banning consumption of shisha in public areas, (e.g., hospitals, parks, festivals, etc.) and establishments that are not shisha-specific.
Financial Impacts	<ul style="list-style-type: none"> Participants felt that banning waterpipe use in shisha establishments would have significant impacts to the business owners through loss of financial investments and livelihood, to the employees and the families of the employees and owners, to the property owners through loss of income from existing leases, and to multiple levels of government through loss of property and business taxes and employment taxes. Many participants were concerned and expressed confusion about the amount of money that most shisha lounges have been required to spend in order to upgrade HVAC systems in the last 6 to 24 months as per the request of City inspectors and why these types of upgrades were required if a complete ban was going to take place in the near future. Participants also indicated that a complete ban could have negative impacts to the social system if so many shisha lounge employees lost their wages and had to collect employment insurance due to lack of work.
Health Concerns	<ul style="list-style-type: none"> Participants raised concerns that if a ban was to go forward, shisha consumption would continue in people's homes and in un-registered establishments that do not have proper ventilation systems, serve alcohol and cannabis illegally, may expose more children to shisha and will not use best practices when cleaning and lighting waterpipes.
Policy and Enforcement	<ul style="list-style-type: none"> Participants were supportive of additional regulations and restrictions on shisha establishments, including: <ul style="list-style-type: none"> Upgrades to HVAC and ventilation systems to improve air quality for patrons and employees, No minors, No alcohol, and Shisha-specific licencing/business permits. Participants felt that waterpipe use should be subject to the same regulations as smoking and vaping in public places.
Regulating Shisha Products	<ul style="list-style-type: none"> Participants also indicated that it makes sense to begin regulating shisha products to ensure that they do not contain tobacco and they only use approved, high quality and safe ingredients. Regulating shisha would also create an opportunity for revenue generated through taxing the product.
Timeline	<ul style="list-style-type: none"> Participants felt that a prohibition would require advance notice of up to 10 years to shisha lounge owners and operators in order for financial planning to recover business investments, fulfill lease obligations and for employees to plan and look for alternate work.



Prepared for The City of Calgary by:

Contact:

Sarah Robertson
Vice President
Environics Research
613-793-2229

Sarah.Robertson@environics.ca
116 Albert Street Suite 300
Ottawa, ON K1P 5G3

Robert Hughes
Senior Research Associate
Environics Research
613-699-8905

robert.hughes@environics.ca
116 Albert Street Suite 300
Ottawa, ON K1P 5G3



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Executive summary

The following are the key findings from quantitative research conducted with Calgary residents about potential changes to smoking, vaping and waterpipe bylaws.

Views about current smoking/vaping regulations

The current rules on smoking and vaping in public places are generally felt to be clear (63%), if not particularly well enforced (40%). Calgarians are divided about whether the current rules are adequate (40%) or need to be more restrictive (42%). Around one in three Calgarians say they have been personally bothered by smoking/vaping in public, and these individuals are much more likely to say stronger rules and better enforcement are required.

Majorities (56-79%) say both smoking and vaping should *not* be allowed in public parks, at outdoor events or at public transit stops; the minority who say they should be allowed in these spaces is slightly higher for vaping than for smoking. Opinion is divided about allowing smoking and vaping on sidewalks and in designated hotel and motel rooms.

Waterpipes (shisha)

There is widespread awareness of waterpipes (89%), and very low reported use (4% in the past month). As with smoking and vaping, majorities say it should *not* be allowed in public spaces like parks, outdoor events and public transit stops. The exception is workplaces and restaurants such as shisha lounges: two-thirds (66%) say waterpipe use should be allowed there.

However, when asked how waterpipe regulations (which do not currently exist) should compare to those for smoking/vaping, the findings appear contradictory: almost two-thirds (63%) say the rules should in fact be the same, mainly because all substances should be treated equally. This suggests the level of support in the question about allowing waterpipe use in workplaces and restaurants reflects the inclusion of shisha lounges in the wording.

Very few (12%) say the rules for waterpipes should be less restrictive than for smoking/vaping; the main reason given (volunteered) is the belief that waterpipes are less harmful to health than smoking/vaping.



Executive summary

Potential smoking/vaping bylaw changes

There is majority support for a ban on smoking and vaping at outdoor public events (65%), in hotel rooms (64%) and in outdoor public parks (63%); in each case, almost half of residents express strong support for an outright ban. The potential bylaw changes enjoy majority support among virtually every socio-demographic group, but support is especially high among women, older Calgarians and non-users (i.e. non-smokers and non-vapers). Reasons for supporting a ban reflect concerns about the health effects and risk of exposure, especially for children. Among the minority who oppose a ban (roughly one-third of residents), the most common reason given is a preference for adults to make their own decisions without government involvement.

There is also widespread support for allowing designated smoking areas at public events (86%). Notably, support for these types of alternate arrangements is lower among Calgarians who strongly support the ban on smoking/vaping but is nonetheless acceptable to three-quarters (78%) of them.

There is broad but modest support for increased resources being used on stronger enforcement of bylaws (67% support, 33% strongly).

Potential waterpipe (shisha) bylaw changes

By comparison to the majority support for smoking/vaping bans, support for a ban on waterpipe use in all public premises, including all workplaces and shisha lounges, is evenly split (46% support, 48% oppose). Women (52%) and residents aged 35 and older (53%) are the only socio-demographic segments who express majority support for a waterpipe ban.

One reason for the lower degree of support for a waterpipe ban is that Calgarians are less likely to perceive a health risk (32% very concerned) compared to smoking (67%) and vaping (54%). The segment most concerned about the health risks of waterpipe use is, in turn, significantly more likely than others to support a ban (66%).

(Continued...)



Executive summary

Potential waterpipe (shisha) bylaw changes (continued)

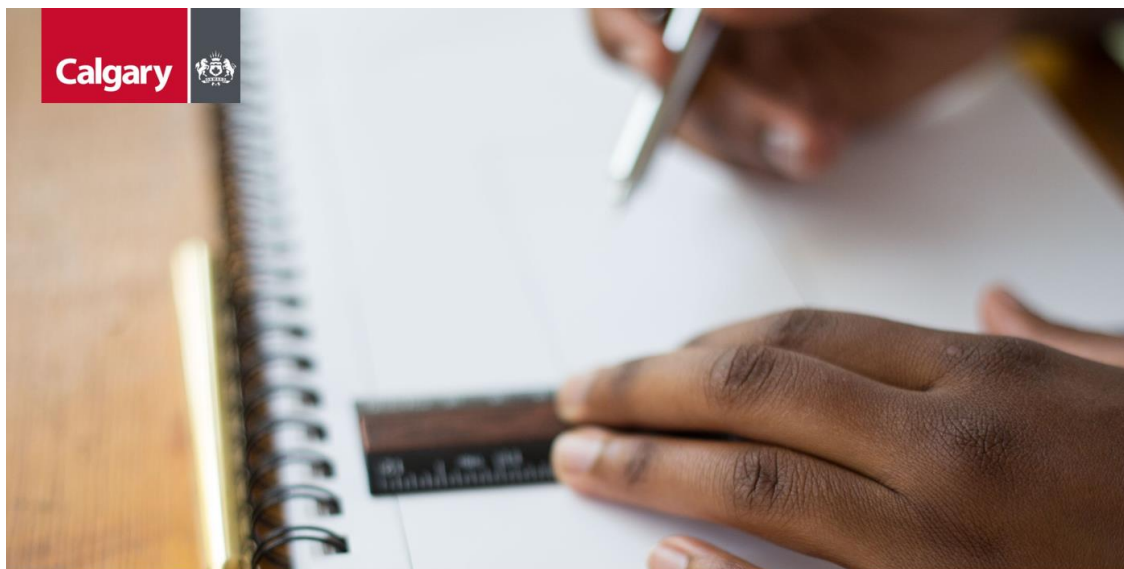
Overall concern about safety risks (aside from health-related risks) from waterpipe use is higher for public places like workplaces and restaurants (65%) than for shisha lounges (47%), further demonstrating that the public thinks about dedicated lounges differently than from other public spaces.

Calgarians are split on how concerned they are about the effects a potential waterpipe ban would have on businesses (47% concerned and 49% not concerned). Concern about the business impact is primarily expressed by the one in five residents who are strongly opposed to a waterpipe ban (70%, vs. less than half of others).

Subgroup differences

The survey findings vary in a consistent way by population segment. In most instances, concerns about smoking, vaping and waterpipe use and support for restricting their use in public places are more widespread among: women, residents aged 35 and older, those who have bothered by smoking/vaping in the past, and non-users.

There is widespread awareness of recent news about vaping (84%), with more than half of residents who voluntarily recall hearing about vaping-related illnesses and deaths in the US or Canada. It is unclear the extent to which this news may have impacted residents' views about smoking and vaping regulations, given the breadth of awareness.



Methodology



Methodology

Environics conducted a telephone survey on behalf of The City of Calgary to understand citizens' attitudes and perceptions towards smoking, vaping and waterpipe use, and potential bylaw changes.

A telephone survey was conducted with a randomly selected sample of 1,012 Calgarians aged 18 years and older, using both landline and cell phone sample to obtain a statistically representative sample of Calgary adults. The survey was in field from September 23 to October 5, 2019. The average interview length was 12 minutes. The margin of error for a sample of 1,012 is ± 3.1 percentage points, 19 times out of 20. The margin of error by quadrant is as follows:

- Northeast: n=206 (MOE +/- 6.8%)
- Northwest: n=282 (MOE +/- 5.8%)
- Southeast: n=244 (MOE +/- 6.3%)
- Southwest: n=280 (MOE +/- 5.8%)

Sampling quotas were in place to ensure the collection of feedback based on a range of characteristics, including city region (quadrant) and gender. Final data were weighted to ensure the overall sample reflects that of the actual Calgary population aged 18 and over per the 2016 Census (including by age, gender and city quadrant).

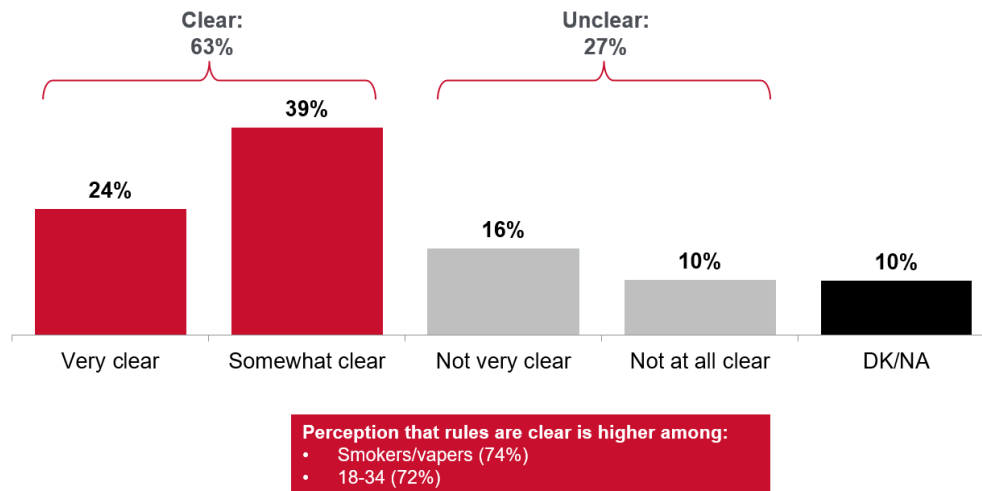


Attitudes toward smoking, vaping and waterpipe use in public



Clarity of smoking/vaping rules

A majority say the current rules about where people can smoke and vape in Calgary are clear, although only one in four find them very clear. Smokers and younger Calgarians are more likely than others to find the rules clear.



Q1. Based on what you know or have heard, how clear are the current rules about where citizens can smoke and vape in Calgary? Are they...?
Base size: All respondents (n=1,012)

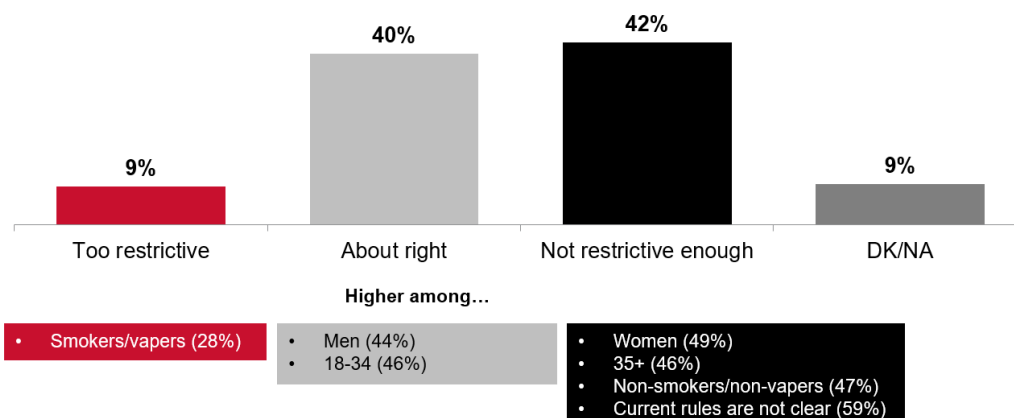
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Restrictiveness of rules

Calgarians have mixed opinions about whether the current rules are adequate or not restrictive enough; only one in ten of all residents, but one-third of smokers, feel the rules are too restrictive. Belief that the rules need to be more restrictive is higher among women, residents aged 35+ and non-smokers/non-vapers.



Q2. In your opinion, are the current rules...?
Base size: All respondents (n=1,012)

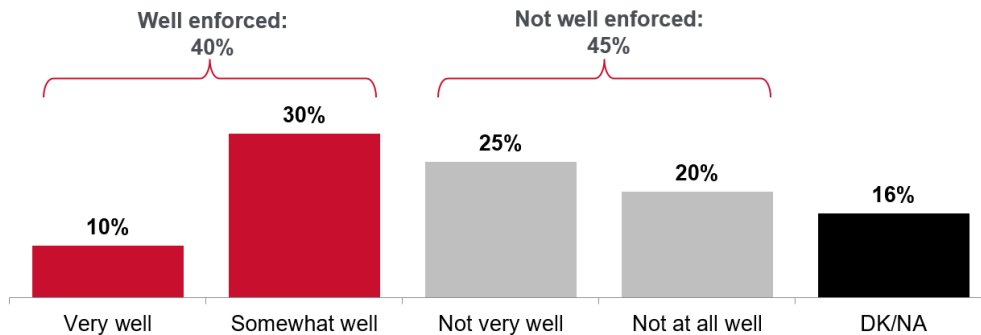
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Perception of bylaw enforcement

Calgarians also hold mixed views on how well the bylaws are currently enforced, with similar proportions who say they are well enforced versus not. Not surprisingly, belief that Calgary has adequate enforcement is linked to perceptions that the rules are clear and sufficiently restrictive. Views about the adequacy of enforcement are similar regardless of smoking/vaping status.



Well enforced (very or somewhat) is higher among:

- Northeast Calgary (50%)
- 18-34 (54%)
- Rules are very (52%) or somewhat clear (48%)
- Rules are too restrictive (51%) or about right (56%)

Q3. And based on what you know or have heard, how well are the current smoking and vaping bylaws being enforced? Would you say...?
Base size: All respondents (n=1,012)

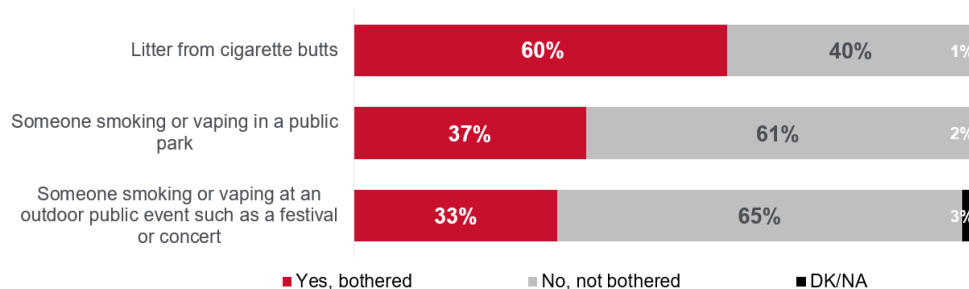
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Personally bothered by smoking/vaping

Six in ten have been bothered by cigarette butt litter in the past six months. Fewer have been bothered by smoking/vaping in a public park or at an outdoor event, but these individuals are more likely to say the current rules are unclear, not restrictive enough and not well enforced.



Proportion who report being bothered is higher among:

- Non-smokers, non-vapers and non-users of waterpipes
- 18-54 years

Negative experiences with smoking/vaping in a public place are linked to views about the adequacy of current rules. Those who have been bothered are more likely to say current rules about smoking/vaping in Calgary are unclear (33% vs. 21% of those not bothered), are not restrictive enough (64% vs. 23%), and are not well-enforced (59% vs. 32%).

Q4-Q6. In the past six months, has there been a time when you were personally bothered by...?
Base size: All respondents (n=1,012)

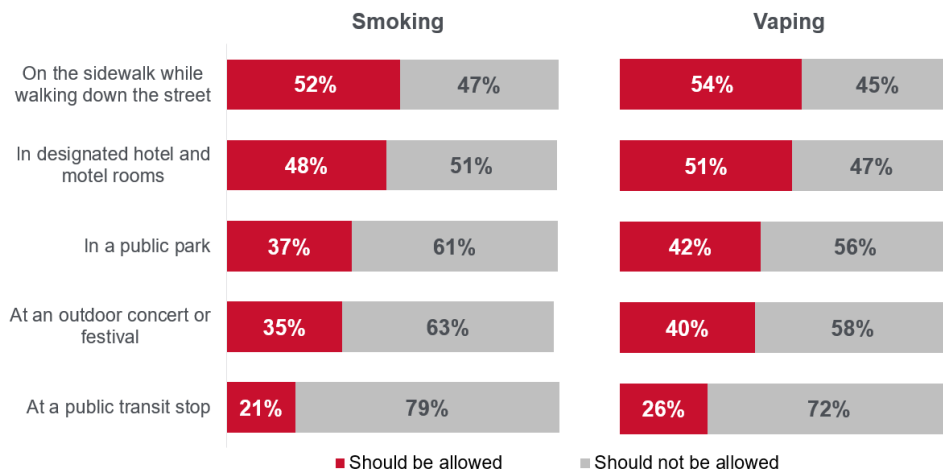
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If smoking/vaping should be allowed

Majorities say smoking and vaping should *not* be allowed in parks, at outdoor concerns or transit stops; this view is more widespread for smoking than for vaping. Opinion is divided about allowing their use on sidewalks or in designated hotel rooms.



Q7-Q16. Do you think **smoking/vaping** should be allowed or should not allowed in the following places?
Base size: All respondents (n=1,012)
Responses of "don't know" have been excluded

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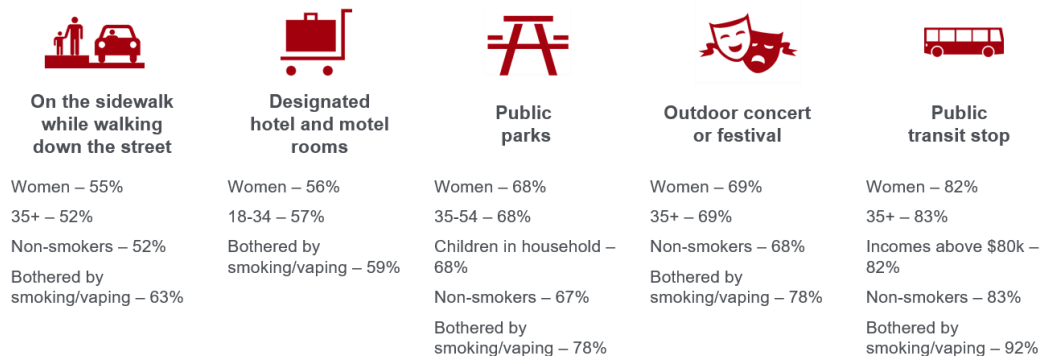
13



Smoking should not be allowed - by subgroup

The view that smoking should not be allowed in public places is generally higher among women and older Calgarians, as well as among non-smokers and those who have been personally bothered by exposure to smoking/vaping in public.

Proportion who say smoking should NOT be allowed is higher among....



Q7-Q11. Do you think **smoking** should be allowed or should not allowed in the following places?
Base size: All respondents (n=1,012)

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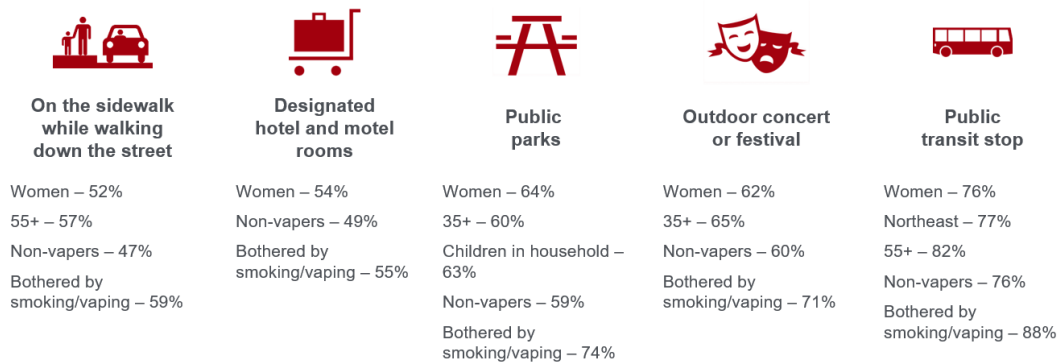
14



Vaping should not be allowed - by subgroup

As with smoking, the view that vaping should not be allowed in public places is generally higher among women, older Calgarians, non-vapers and those who have been personally bothered by smoking/vaping in public.

Proportion who say vaping should **NOT** be allowed is higher among....



Q12-Q16. Do you think **vaping** should be allowed or should not allowed in the following places?
Base size: All respondents (n=1,012)

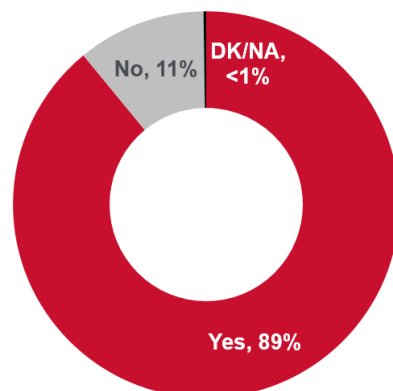
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Awareness of waterpipe smoking

Most Calgarians have heard of waterpipe smoking.



Awareness is higher among:

- 18-54 years (91% vs. 84% aged 55+)
- Households in the highest income bracket (97% \$150K+)

Q17. Have you ever heard of waterpipe smoking, sometimes called shisha or hookah, where an herbal product or an herbal and tobacco blend is burnt and the smoke is passed through a waterpipe and inhaled?
Base size: All respondents (n=1,012)

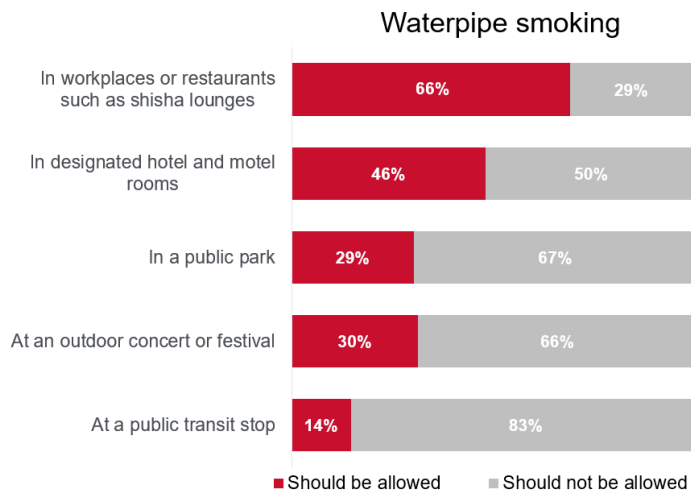
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If waterpipe smoking should be allowed

As with smoking and vaping, majorities say waterpipes should *not* be allowed in parks, at outdoor concerns or public transit stops, and there are mixed opinions about allowing them in designated hotel rooms. However, two-thirds say they should be allowed in public places such as shisha lounges.



Q18-Q22. Do you think **waterpipe smoking** should be allowed or should not allowed in the following places?
Base size: All respondents (n=1,012)
Responses of "don't know" have been excluded

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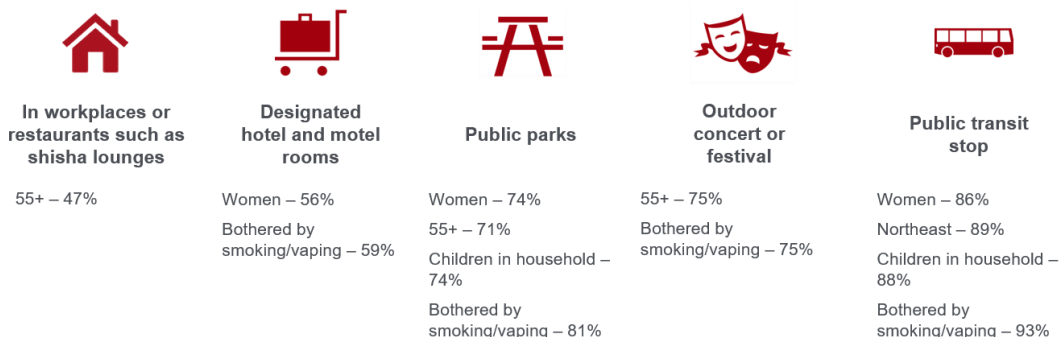
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Waterpipes should not be allowed – by subgroup

A majority in all sociodemographic segments say that waterpipes should be allowed in workplaces/restaurants, with the exception of those age 55+ (who are almost equally likely to say they should not be allowed). Otherwise, as with smoking and vaping, it is women, older Calgarians and those who have been personally bothered by smoke in public who are more likely to say waterpipes should *not* be allowed in other locations.

Proportion who say waterpipe use should **NOT** be allowed is higher in....



Q18-Q22. Do you think **waterpipe smoking** should be allowed or should not allowed in the following places?
Base size: All respondents (n=1,012) **NOTE:** Data cannot be reported for waterpipe users due to small subsample size (n=23)

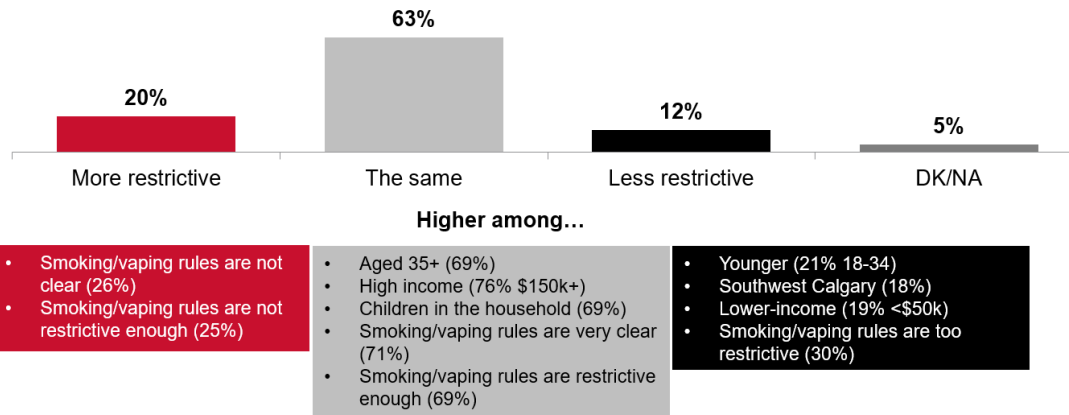
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Rules for waterpipe vs. smoking/vaping

A majority of six in ten Calgarians say the rules for public use of waterpipes should be the same as for smoking and vaping. Very few say the rules should be less restrictive, but this view is more common among younger Calgarians and those who feel the current smoking/vaping rules are too restrictive.



Q23. In your opinion, should the rules about public use of waterpipes be the same as the rules for smoking and vaping in public, should they be more restrictive, or should they be less restrictive?

Base size: All respondents (n=1,012)

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Rules for waterpipe vs. smoking/vaping

Residents who say the rules for waterpipe smoking should be more restrictive than for smoking/vaping want to protect children from exposure, protect people's health and avoid secondhand smoke. Those who say waterpipe rules should be the same as for smoking/vaping would prefer all substances be treated equally.

Reason	Should be more restrictive (n=196)	Should be same (n=667)
So children/young people are not exposed	46%	15%
Protect people's health	29%	15%
Avoid secondhand smoke / stop exposure in the air	22%	17%
Treat all substances the same / don't favour one	20%	66%
It bothers people / is an irritating habit	9%	4%
Don't like the smell	1%	4%
Other	9%	7%
Don't know	3%	4%

Q24. Why do you say that?

Base size: Respondents who said more restrictive (n=196), the same (n=667) or less restrictive (n=96)

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Rules for waterpipe vs. smoking/vaping

The small group who say the rules for waterpipe use should be less restrictive than those for smoking/vaping are most likely to cite the perception that it is less harmful to health. There are also some concerns about the cultural aspect of waterpipe use and the impact on businesses.

Reason	Should be less restrictive (n=96)
Not as harmful to health as smoking/vaping	49%
Should be allowed in establishments designed for it	18%
Allow adults to make their own decisions	13%
Because of the cultural aspect / affect certain cultures	12%
Should be allowed in a separate/designated spaces	6%
Ban will harm businesses	6%
Other	24%*
Don't know/Refused	<1%

Q24. Why do you say that?

Base size: Respondents who said more restrictive (n=196), the same (n=667) or less restrictive (n=96)

*NOTE: The 'Other' category contains various responses that were insufficient in number (n<5) to create a unique code

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Potential bylaw changes

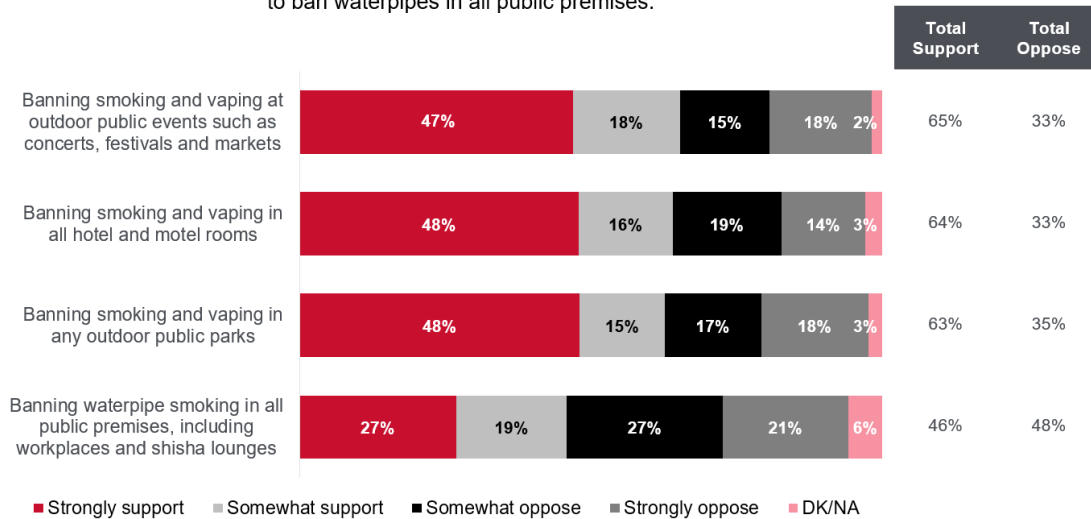
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Support for bylaw changes

When asked directly, there is majority support for a ban on smoking/vaping at public events, in hotel rooms and in outdoor parks. Opinion is divided on whether to ban waterpipes in all public premises.



Q25-Q28. Calgary's City Council is considering changes to the Smoking and Vaping Bylaw. For each of the following, please tell me if you strongly support, somewhat support, somewhat oppose or strongly oppose it. Just a reminder that we are not talking about cannabis.
Base size: All respondents (n=1,012)

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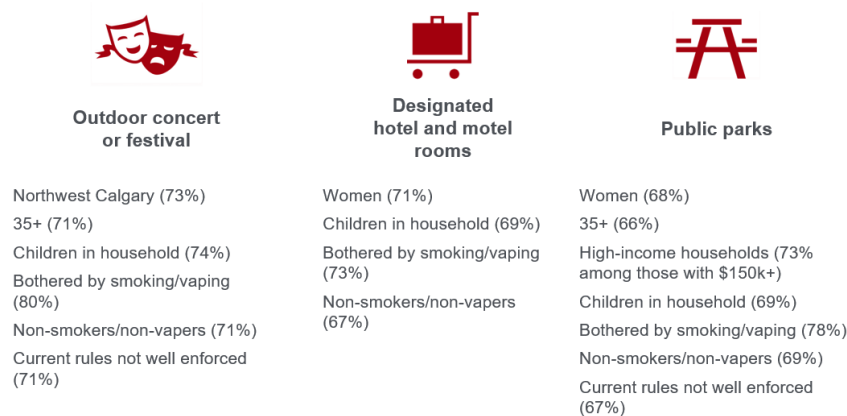
23



Smoking/vaping bylaw changes – by subgroup

Support for the potential bylaw changes is generally higher among women, older Calgarians (35+), those with children in their household, non-users and people personally bothered by smoking/vaping in public.

Proportion who support a smoking/vaping ban is higher in....



Q25-Q28. Calgary's City Council is considering changes to the Smoking and Vaping Bylaw. For each of the following, please tell me if you strongly support, somewhat support, somewhat oppose or strongly oppose it. Just a reminder that we are not talking about cannabis.
Base size: All respondents (n=1,012)

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Reasons why support potential ban

Support for the potential ban on smoking/vaping in outdoor parks and events are driven by health concerns: exposure to secondhand smoke, reducing youth exposure and protecting people's health. Smaller proportions also mention the smell or simply being irritated by it.

Reason given	Support ban on smoking/vaping in outdoor public parks (n=335)	Support ban on smoking/vaping at outdoor public events (n=348)
To avoid secondhand smoke / stop exposure in the air	52%	71%
So children/young people are not exposed to it	42%	24%
Protect people's health	33%	32%
Don't like the smell	17%	12%
It bothers people / is an irritating habit	8%	10%
To reduce littering / not environmentally-friendly	5%	1%
Other	6%	8%
Don't know/refused	2%	1%

Q29. Why do you say you support..... (selected item).
Base size: Respondents who support a ban

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Reasons why oppose potential ban

The minority who oppose a ban on smoking/vaping express a preference for autonomy over government regulation; they also feel non-users can avoid users in outdoor spaces (generally) and through designated smoking/vaping areas.

Reason given	Smoking/vaping in any outdoor public parks (n=173)	Smoking/vaping at outdoor public events (n=148)
Allows adults to make their own decisions / don't need government deciding for us	34%	43%
The outdoors is not a confined space / people can avoid others smoking and vaping if they want to	32%	16%
Should be allowed in a separate/designated space separated from non-users	26%	28%
Ban will harm businesses	1%	5%
Other	11%	10%
Don't know/refused	13%	16%

For both scenarios, men are significantly more likely than women to say they oppose the ban because adults can make their own decisions

Q29. Why do you say you oppose..... (selected item).
Base size: Respondents who oppose a ban

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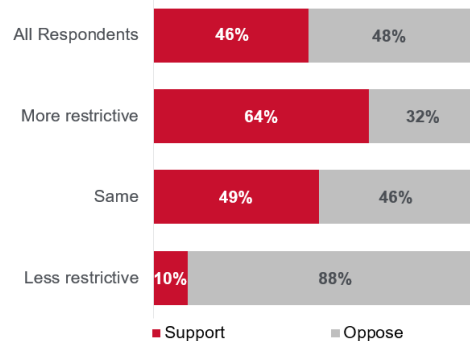
Waterpipe bylaw changes – by subgroup

There is slim majority level support for a waterpipe ban among women, Calgarians aged 35 and older and residents with children. Opinion is more evenly divided among the other population segments, including those who say the rules for waterpipes should be the same as for smoking/vaping.

Proportion who support a waterpipe ban is higher in....



Support for waterpipe ban – by whether waterpipe regulation should be more/same/less restrictive than smoking/vaping rules



Q25-Q28. Calgary's City Council is considering changes to the Smoking and Vaping Bylaw. For each of the following, please tell me if you strongly support, somewhat support, somewhat oppose or strongly oppose it. Just a reminder that we are not talking about cannabis.
Base size: All respondents (n=1,012) **NOTE:** Data cannot be reported for waterpipe users due to small subsample size (n=23)

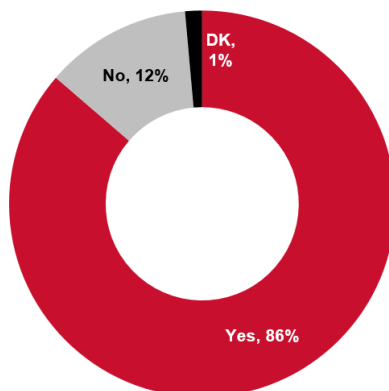
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Support for designated smoking areas

A large majority of Calgarians, and almost all smokers/vapers, support designated smoking areas at public events. While support for designated areas is lower among those who most want smoking/vaping banned at public events, nonetheless three-quarters are fine with this approach.



Support is higher among:

- 18-34 (94%)
- Households with children (92%)
- Smokers/vapers (98%)
- Current rules are too restrictive (94%) or about right (92%)

Support is lower among:

- Strongly support a ban at public events (78%)

Q30. Should public events such as festivals, concerts and markets be allowed to have designated smoking areas where smoking, vaping or waterpipe use are allowed?
Base size: All respondents (n=1,012)

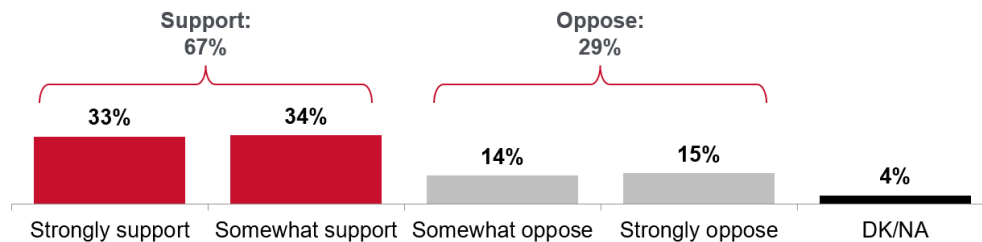
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Support for additional bylaw enforcement

Two thirds of Calgarians support The City assigning additional resources to enforce bylaw restrictions, although only one-third strongly support it. This level of strong support for more enforcement is lower than for the ban itself (almost half of Calgarians), possible due to referencing the extra costs that would be incurred. Overall support for additional enforcement does not vary significantly by views on the current state of enforcement efforts.



Support (strongly or somewhat) is higher among:

- Women (71%)
- Children in household (73%)
- Non-smokers/non-vapers/non-users of shisha (71%)
- Bothered by smoking/vaping (79%)

Q31. Keeping in mind there are costs associated with enforcing bylaw restrictions, such as posting signs and hiring enforcement officers, do you support or oppose The City assigning additional resources to enforce restrictions on smoking, vaping or waterpipe use in public?
Base size: All respondents (n=1,012)

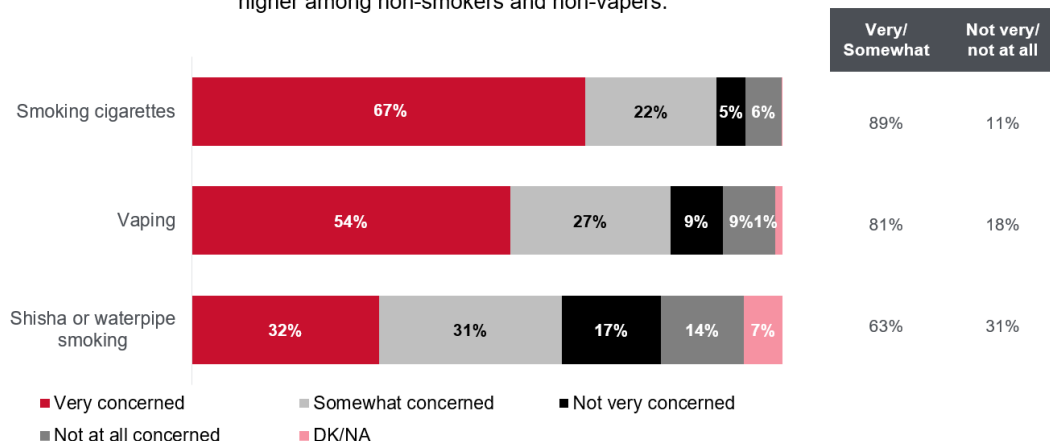
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Concerns about health risks

Most Calgarians express at least some concern about the health risks of all three substances. However, the perceived degree of risk varies by substance: it is highest for smoking, followed by vaping, and lowest for waterpipes. Concern is higher among non-smokers and non-vapers.



Younger residents (18-34) are significantly **less** concerned about the health risks of vaping and waterpipe use than those aged 55+.

Support for a waterpipe ban is significantly **higher** among those very concerned about the health risks of shisha use (66%, vs. 46% somewhat concerned and 36% not concerned).

Q35-Q37. Would you say you are very concerned, somewhat concerned, not very concerned or not at all concerned about the health risks from each of the following?
Base size: All respondents (n=1,012)

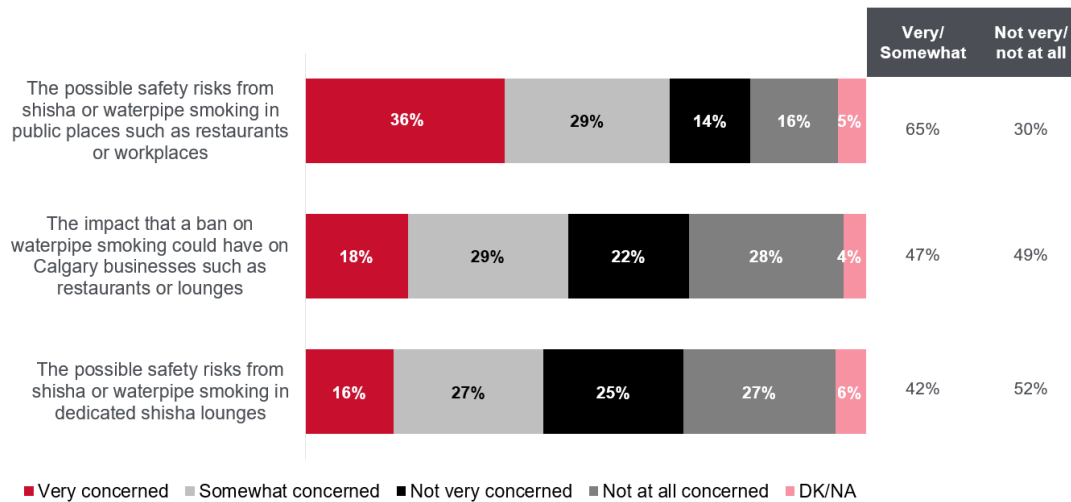
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Concerns about waterpipe use

Two-thirds are concerned about the safety risks of waterpipe use in public places, but less than half are concerned about the risks in dedicated shisha lounges. The degree of concern about the potential impact on businesses in Calgary is mixed.



Q38-Q40. Using the same scale, how concerned are you about each of the following?
Base size: All respondents (n=1,012)

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Concerns about waterpipe use – by subgroup

There is limited variation in concerns about waterpipe use by socio-demographics. Concerns about the safety risks in public places is higher among residents aged 35 and older. In turn, concern about the impact of a ban on Calgary businesses is higher among those under 35.

Proportion expressing concern is higher in....



Safety risks in public places

Northwest Calgary (77%)
 35+ (70%)
 Bothered by smoking/vaping (74%)
 Non-smokers/non-vapers/non-users of waterpipes (69%)



Safety risks in dedicated shisha lounges

Northwest Calgary (52%)
 Current rules are not restrictive enough (53%)
 Bothered by smoking/vaping (50%)
 Non-smokers/non-vapers/non-users of waterpipes (45%)



Impact of a ban on Calgary businesses

18-34 (58%)
 Current rules are too restrictive (66%)

Q38-Q40. Using the same scale, how concerned are you about each of the following?
Base size: All respondents (n=1,012)

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Impact on waterpipe bylaw support

Concern about the safety risks of waterpipe use in public places (outside of shisha lounges) is largely consistent regardless of degree of support for the bylaw change. Notably, concern about the safety risks in shisha lounges tends to be confined primarily to supporters of a waterpipe ban, while concern about the business impact is confined primarily to those who strongly oppose a ban.

Very/somewhat concerned about...	Support/oppose waterpipe ban			
	Strongly support	Somewhat support	Somewhat oppose	Strongly oppose
Safety risks in public places	85%	79%	58%	42%
Safety risks in dedicated shisha lounges	66%	50%	32%	25%
Impact of a ban on Calgary businesses	33%	44%	48%	70%

Q29. Why do you say you oppose..... (selected item).
Base size: Respondents who oppose a ban

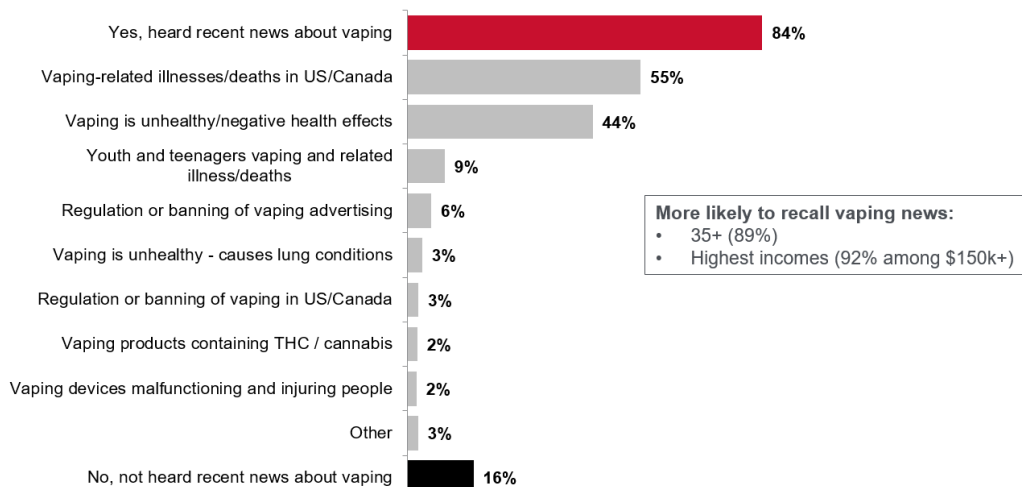
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Recall of news about vaping

There is widespread awareness of recent news about vaping, with more than half who voluntarily recall hearing about vaping-related illnesses and deaths in the US or Canada and a large group who have heard that vaping has negative health effects.



Q41. Have you seen, read, or heard anything in the news recently about vaping?
Q42. What have you seen, read, or heard? (Note: only responses provided by at least 2% of respondents are shown)
Base size: All respondents (n=1,012)

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Appendix: Respondent Profile

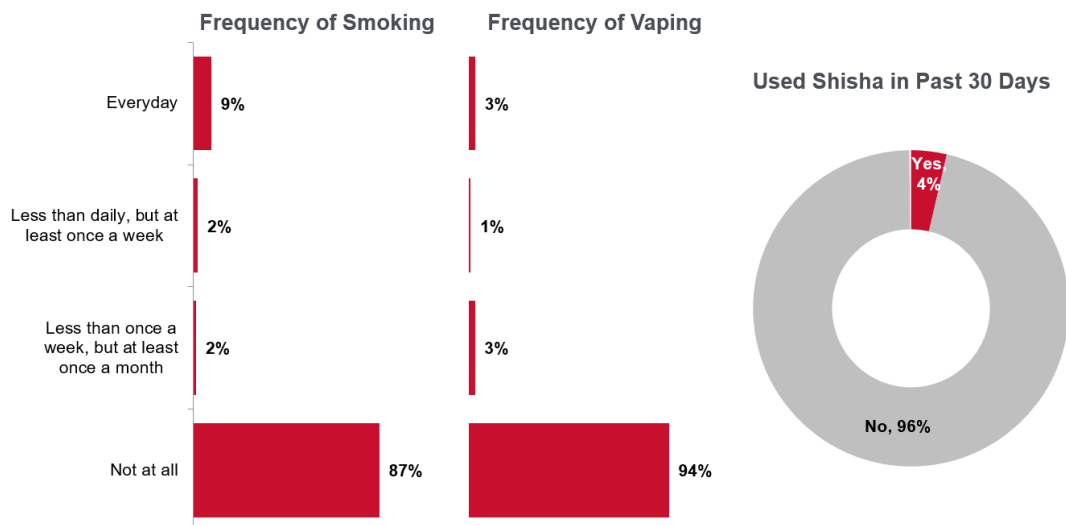
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Smoking/vaping/waterpipe use

Most respondents do not smoke or vape; 12% are smokers, 6% vape and 4% use a waterpipe.



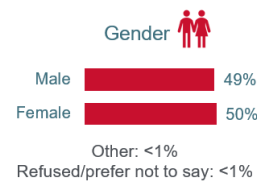
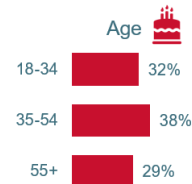
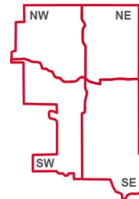
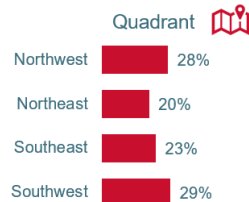
Q32/Q33. In the past 30 days, how often did you smoke cigarettes/vape?
Q34. In the past 30 days, have you smoked shisha from a waterpipe?
Base size: All respondents (n=1,012)

2019 | Smoking and Vaping Research

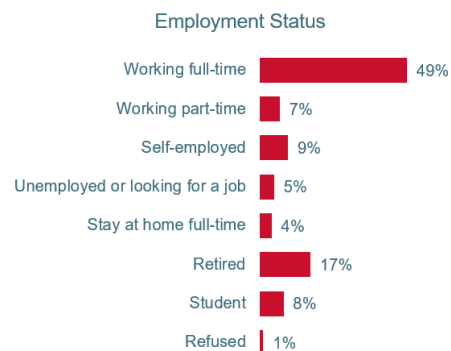
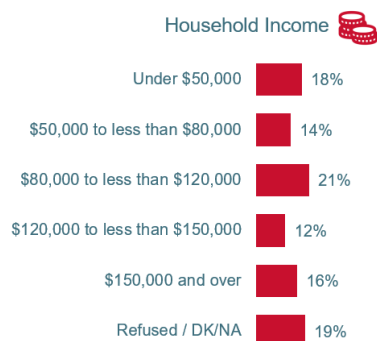
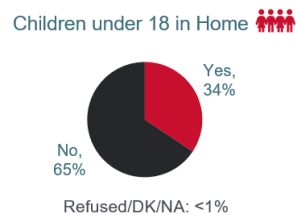
36



Respondent profile (weighted)



Respondent profile (weighted) (cont'd)



**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1424**

School Safe Zones

EXECUTIVE SUMMARY

On 2019 April 8, Council directed Administration to collaborate with Calgary school boards and districts to understand concerns regarding harmful expression around school sites and determine municipal authority to regulate activities on public spaces.

The City is responsible for protecting Calgarians' freedom of expression in public places while also protecting the psychological integrity of students - often young, vulnerable children - from being unwittingly exposed to advocacy messaging by external interest groups which may trigger confusion, trauma and emotional harm.

Administration has determined that The City, through authority granted by the *Municipal Government Act*, can enact bylaws to protect people, property and public spaces. Accordingly, through this report, Administration is recommending that a bylaw be developed to address the concerns identified in the Notice of Motion.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommends that Council direct Administration to draft a bylaw to restrict advocacy messaging by external interest groups on public property around schools and report back to Council through the Standing Policy Committee on Community and Protective Services no later than 2020 Q3.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 April 8, Council approved Notice of Motion C2019-0446: School Safe Zones (Attachment 1) directing Administration to report back no later than 2019 Q4.

BACKGROUND

Citizens have expressed concerns to councillors about advocacy messaging by external interest groups located in the immediate vicinity of schools, which may have a harmful impact on students, particularly younger children. The Calgary Police Service has fielded calls from citizens voicing similar concerns.

Efforts have been undertaken by governments to protect vulnerable audiences from exposure to unwelcome or harmful images. In 2016 November, Council approved amendments to the Community Standards Bylaw 5M2004 to prohibit the distribution of flyers to homes that post a *no flyers* sign or notice on their mailbox. This bylaw addresses the rights of citizens to protect their family from unwittingly viewing disturbing or offensive materials delivered to their homes.

In Alberta, the *Protecting Choice for Women Accessing Health Care Act*, mandates no-protest zones around abortion clinics. The rules establish "access zones" of 50 metres for the clinics and ban protesting, interfering with or intimidating a patient, physician or service provider within an access zone.

Further, Calgary Transit and Roads utilize the *Canadian Code of Advertising Standards* as a guide on the appropriate content for signs, banners, and advertisements.

Currently, The City does not have any regulatory mechanism to restrict the harmful impact of advocacy messaging by external interest groups that is directed at students attending school.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1424**

School Safe Zones

On 2019 April 8, during the debate on Notice of Motion C2019-0446 (Attachment 1), councillors shared examples of citizens who had experienced trauma or triggering episodes as a result of having unwittingly been exposed to graphic images. Of particular concern were such images displayed by an external advocacy group directly outside of schools and at other locations where there were young children present, including the Children's Festival. In considering the Notice of Motion, Council also heard concerns about how to define "harmful" expression and how to achieve a proper balance between protecting freedom of expression while also safeguarding the psychological integrity of students who are exposed to advocacy messaging by external interest groups.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

To respond to the Notice of Motion, Calgary Community Standards consulted with Law, Calgary Police Service, Calgary Neighbourhoods, Roads, and Calgary Transit. Three areas of investigation informed this report:

1. Review of Municipal Jurisdictional Authority: Section 7 of the *Municipal Government Act*, ("MGA") grants Council the authority to enact bylaws relating to: the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; and nuisances. This includes regulating activities that occur on The City's public streets. Pursuant to this authority, The City must ensure that it is acting within its jurisdiction and does not infringe upon freedoms guaranteed under the *Canadian Charter of Rights and Freedoms* ("Charter"). While freedom of expression is protected under section 2(b) of the *Charter*, The City may, in appropriate circumstances, restrict freedom of expression in limited circumstances where it can provide a proper justification for doing so.
2. Stakeholder Engagement: In response to Council direction in the Notice of Motion, Administration engaged with all seven Calgary school boards and districts to review concerns regarding exposure to advocacy messaging by external interest groups around schools. Concerns shared through the engagement were similar to those that councillors have heard from citizens. The engagement also highlighted the fact that advocacy messaging by external interest groups often has a deeper impact than on the children directly affected. Parents and teachers were similarly impacted by the messages and the feedback indicated that the messaging often had a distracting and harmful effect on the teaching/learning environment at the affected school. A detailed summary of the stakeholder feedback is provided in Attachment 2.
3. Canadian Municipal Scan: Canadian municipalities were scanned for relevant incidents, bylaws and council reports/presentations and notices of motion to understand how other cities have addressed harmful expression targeting children and schools. The scan identified that while there are currently no existing bylaws in place in other municipalities, some municipalities have identified similar issues and are considering approaches to address these concerns. Attachment 3 provides a summary of the municipal scan.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1424**

School Safe Zones

Analysis

Through the authority under the *MGA* identified above, The City has the jurisdiction to enact a bylaw addressing issues that both citizens and stakeholders have expressed regarding the harm caused by the display of advocacy messaging by external interest groups on public property near schools. While it is recognized that this type of expression is generally protected speech in public spaces, the concern is that advocacy messaging by external interest groups positioned directly outside of schools creates a captive audience of unwitting viewers who cannot avoid exposure. This captive audience is comprised of young, vulnerable and often unprepared students, as well as their parents, care-givers, and teachers, who may experience psychological trauma, confusion, upset, and fear when exposed to this kind of messaging.

Administration Recommendation

Administration recommends that a bylaw be developed to restrict advocacy messaging by external interest groups located on public property within the immediate vicinity of schools during days in which schools are in session. This bylaw would exclude school-sanctioned activities from its application. Administration believes that such a bylaw, if properly tailored, would withstand a *Charter* challenge.

Stakeholder Engagement, Research and Communication

All seven Calgary school boards and districts were invited to participate in the interview process. There were 24 interviews completed which included representation from all seven boards and districts. A detailed summary of the stakeholder feedback is provided in Attachment 2.

Strategic Alignment

This report aligns with One Calgary 2019-2022 Citizen Priority: A City of Safe and Inspiring Neighbourhoods and specifically to Council Directive (N1): Calgarians want neighbourhoods and public spaces that are safe, accessible and inclusive for all Calgarians, including seniors and the disabled.

Social, Environmental, Economic (External)

Administration is committed to achieving an approach which balances the public's freedom to engage in expressive activity while ensuring that public spaces in the immediate vicinity of schools are safe and accessible to students, parents, and teachers.

Financial Capacity

Current and Future Operating Budget:

There are no current operating budget impacts associated with this report. If Council approves the recommendation, all costs associated with bylaw enforcement would be absorbed into the existing operating budget.

Current and Future Capital Budget:

There are no current or future capital budget impacts associated with this report.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1424**

School Safe Zones

Risk Assessment

There is a risk that the bylaw would be challenged in court. To mitigate that risk, Law's drafting of the bylaw will ensure that The City's authority to regulate public behaviour is considerate of the *Charter* and Law is prepared to defend the bylaw if a court challenge is made.

Both Community Peace Officers and the Calgary Police Service would be responsible for enforcing the bylaw but would work with external interest groups to obtain voluntary compliance. Calgary Community Standards would engage with Law to ensure that the issuance of any violation tickets is appropriate and can withstand a constitutional challenge.

If Council approves the recommendation to draft a bylaw, there is a risk that service performance benchmarks may be impacted as Community Peace Officers would be expected to enforce these new bylaw requirements. Mitigating this risk includes monitoring 311 service requests related to the bylaw infractions to determine whether additional resources are required.

<p>REASON(S) FOR RECOMMENDATION(S): This report is in response to the Notice of Motion C2019-0446 approved at the Combined Meeting of Council on 2019 April 08.</p>
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ATTACHMENT(S)

1. Attachment 1 – Notice of Motion C2019-0446: School Safe Zones
2. Attachment 2 – Calgary School Safe Zones Stakeholder Report Back: What We Heard
3. Attachment 3 – Canadian Municipal Scan



Report Number: C2019-0446

Meeting: Combined Meeting of Council

Meeting Date: 2019 April 08

NOTICE OF MOTION

RE: School Safe Zones

Sponsoring Councillor(s): Councillor Farrell

WHEREAS the *Protecting Choice for Women Accessing Health Care Act* safeguards both women who access abortion services and abortion clinic staff from protests, interference, bullying, and intimidation;

AND WHEREAS the legislation establishes a 50-meter protester-free zone around Alberta's two non-hospital abortion clinics – Kensington Clinic in Calgary and Woman's Health Options in Edmonton;

AND WHEREAS children, as minors, should also feel psychologically safe when accessing schools, which includes being protected from harmful expression or protest conducted by public interest groups that interferes, bullies, intimidates, or conveys hateful views;

AND WHEREAS recent events highlighted the use of such harmful expression to target children and schools;

AND WHEREAS there are currently no City of Calgary bylaws that specifically address the safeguarding of children accessing schools from harmful expression;

AND WHEREAS there is a need to balance the rights of persons of all ages to peacefully protest, with the rights of children to be safeguarded from harmful expression;

NOW THEREFORE BE IT RESOLVED that City Council directs City Administration, in collaboration with Calgary school boards and school districts, to review concerns regarding exposure to harmful expression around school sites;

AND FURTHER BE IT RESOLVED that City Administration undertake a review of whether the City of Calgary has the jurisdiction required to enact a constitutionally defensible bylaw that establishes a safe zone around schools where harmful expression would be prohibited;

AND FURTHER BE IT RESOLVED that City Administration return to Council with recommendations on how best to safeguard children accessing schools from harmful expressions, reporting through the Standing Policy Committee on Community and Protective Services no later than Q4 2019.



Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

Project overview

In 2019 April, Council passed the School Safe Zones Notice of Motion C2019-0446 which directed Administration to review exposure to harmful expression among children accessing schools. As part of this review Administration was directed to collaborate with school boards and school districts in Calgary to understand children's exposure to harmful expression.

Engagement overview

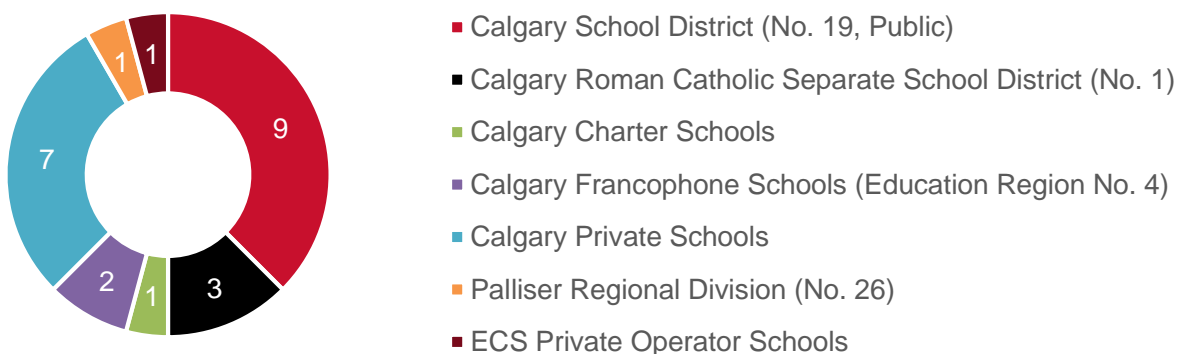
Throughout 2019 June, Administration reached out to the school boards and districts in Calgary via email and phone. This approach was chosen for the interviews for two reasons:

1. the school term was ending and this approach was the most accommodating to different schedules, and
2. a one-on-one conversation allowed Administration to gain an understanding of what school districts are experiencing while allowing for them to share the information without fear of judgment or need to defend their experience to others.

The project team sent out 136 emails requesting interviews. At least two follow-up emails were sent, and when there was a known incident at a school, three or more follow-up email requests were sent. We contacted representatives from the following seven school districts and divisions:

- Calgary School District (No. 19, Public)
- Calgary Charter Schools
- Calgary Private Schools
- Early Childhood Services (ECS) Private Operator Schools
- Calgary Roman Catholic Separate School District (No. 1)
- Calgary Francophone Schools (Education Region No. 4)
- Palliser Regional Division (No. 26)

Number of interviews per district/division





Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

Who we interviewed

District/Division	Breakdown of interviews
Calgary School District (No. 19, Public)	1 – District Board Representative 8 – School Principals
Calgary Roman Catholic Separate School District (No. 1)	1 – District Board Representative 2 – School Principals
Calgary Charter Schools	1 – School Principal
Calgary Francophone Schools (Education Region No. 4)	2 – School Principals
Calgary Private Schools	7 – School Principals
Palliser Regional Division (No. 26)	1 – District Board Representative
ECS Private Operator Schools	1 – School Principal

This report is a summary of what we heard from these interviews. No verbatim transcripts were taken of the interviews and therefore this report is a summary of the key themes, examples and comments shared during the interviews. Additionally, there is a detailed summary of responses starting on [page 4](#).

What we asked

The interviews followed the direction of the Notice of Motion and sought input from schools on their direct experience with harmful expressions within the vicinity of their schools. Participants were asked the following questions:

1. The Notice of Motion suggests harmful expression can interfere, bully, intimidate or offer hateful views. Do you agree with the terminology used in the Notice of Motion to describe harmful expression? Is there anything you would like to add, take away, or elaborate on?
2. Keeping the description in the previous question in mind, has your school experienced any type of harmful expression at or near the school?
 - a. If yes, where/when did it happen?
 - b. If yes, did you receive any complaints about it?
 - c. If yes, tell us a bit about the number and nature of the concerns. Please don't provide any information that would identify individuals.
3. What did you or the school do about the complaints or situation? How was the situation addressed?

The project team was also simultaneously working on research on the topic and asked for potential research topics stakeholders may suggest to ensure a fulsome understanding and a comprehensive analysis of the topic. The team also asked participants to identify other nearby schools that might have experiences to share, which identified 12 additional schools for engagement.

What we heard

In total we conducted 24 interviews. The majority of the interviews were with school Principals and some with school district or board representatives.



Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

Harmful expression definition

The Notice of Motion suggests harmful expression can interfere, bully, intimidate or offer hateful views. 19 participants agreed with the definition. Eight agreed and provided additions to the definition. These additional suggestions are summarized below:

- Make the definition broader, elaborate on the terms, and expand the zone to 100 metres to allow for safe bus access.
- Add different words including: frightening, segregation, shaming, provoking (antagonizing the kids into action), as well as include specific businesses (e.g. cannabis) in the zone.

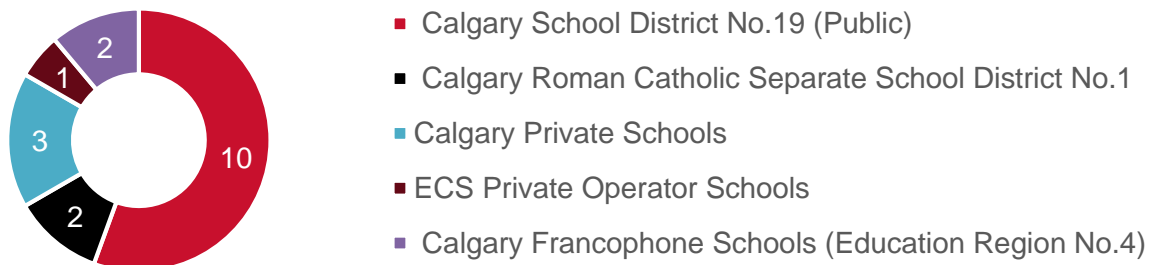
Three participants felt it important to consider freedom of expression and diversity of culture, religion, ideology, etc. Two explicitly stressed that the safe zones should not interfere with this freedom (Section 2 of the Charter), or the ability to host events and groups on school property.

Experiences with harmful expression

18 interviews spoke to specific instances of harmful expressions and were from five of the seven districts.

Some of these instances took place on a regular basis, such as once a year or once a semester. These expressions were typically taking place directly in-front of the school but on public property (for instance, on a sidewalk immediately in front of the school). Detailed information on the location and frequency can be found on [page 5](#).

Number of schools that indicated an instance of harmful expression by school board/district



When asked about concerns, the schools heard concerns from parents, students, and staff. Most were upset and many had questions about why such displays/protests were allowed to take place directly in front of the school. Details on complaints and concerns are on [page 5](#).

Eight interview participants also talked about how students were being exposed to graphic images and antagonized. The students would sometimes argue with protesters, who they saw as disruptive, creating a negative atmosphere that was not ideal for the students in general. Three also talked about the impact of students being filmed by one specific group.

Six times we were told that students or staff who had experienced trauma, or who had been diagnosed with anxiety or depression were often affected by the protests for much longer and had experienced major



Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

setbacks at school. One participant specifically talked about the emotional maturity of a 16 year old whose lack of experience for handling these encounters required staff to provide extra care.

School response

13 schools that experienced these instances were quick to act by addressing the issue with students directly. They would also send out communications regarding the incidents and involve school staff or the School Resource Officer who would stay near the protests to provide support to students.

Even though the schools were quick to act, they did share that events created a significant disruption and drained resources. They negatively impacted staff's day-to-day work and the students' learning experience. This was especially true if the event was unexpected, where the administration did not have advance notice from the School Resource Officer. While some schools received advanced notice, others did not. Schools also noted the impacts of the event were not just immediate. Following the event, providing emotional support to students and other staff required additional time, and students' school life and day-to-day learning was disrupted.

More specific details on the impact of incidents on school resources and people can be found on [page 6](#).

Eight participants specifically said that the protests were disruptive and resulted in complaints from the community, students, parents and staff. Another eight participants did not explicitly use the words disruptive but did talk about the negative impact on the school resources and that they too received complaints from parents and students. They used words like inflammatory, bullying, taunting, shocking, and distressing, and three schools received complaints asking "why are they allowed to do it outside our doors?" There were two participants that did not talk about the impact.

Regardless of the protest topic, participants noted that the protest incidents were disruptive to their daily school administrative work, negatively impacted students, and upset parents.

What we heard - detailed summary

Harmful expression definition

Theme	Detailed Summary
Agreement with the definition	<ul style="list-style-type: none"> 19 participants agreed with the definition in the Notice of Motion. Three participants who agreed with the definition did struggle with how the terms are defined because they can be subjective and what is harmful or intimidating to one person may not be to another. They talked about parents also playing a part in deciding what is harmful.
Improvements to the definition	<p>Eight agreed and provided additions to the definition. These additional suggestions are:</p> <ul style="list-style-type: none"> Make the definition broader, elaborate on the terms, and expand the zone to 100 metres, or more to allow for safe bus access. Add additional words to the definition including: frightening, segregation, shaming, provoking (antagonizing the kids into action), as well as to add specific businesses (e.g. cannabis) into the safe school zone.
Freedom of expression	<ul style="list-style-type: none"> Three Participants noted that that it is important to consider freedom of expression and diversity of culture, religion, and ideology. Two stressed that the safe zones shouldn't interfere with this freedom, Section 2 of the Charter, or the ability to host events and groups on school property.



Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

Experiences with harmful expression

Theme	Detailed Summary
Location and frequency	<ul style="list-style-type: none"> Seven of the schools have harmful expression incidents happen on a regular annual or bi-annual basis (either once a year or once a semester and all said it was by the same group). Nine of the schools have had regular instances over the last five to seven years. Remaining schools had less frequent instances happening only once in the last year or more than a year ago. Of the 18 noted incidents, six were on school property and the other 12 took place directly in front of the school but on public property, for example on a sidewalk immediately in front of the school.
Describing the experiences	<ul style="list-style-type: none"> One example noted that students said they felt “violated” because they had to walk directly past the graphic signs to get into the school. Two examples that were not about protests involving graphic images had school administrators hearing the same types of complaints from parents. In one example, parents rallied to support a teacher who was experiencing a hard time and put notes and messages all over her car. Another example was a political protest event with messages on signs. In both instances the schools said that it was disruptive and parents and teachers felt bullied and intimidated. Overall regardless of whether the message was graphic or not, the schools said that that there was a negative impact to people and that it negatively impacted the schools “social cohesion.”
Complaints and concerns	<ul style="list-style-type: none"> All but one protest incident received complaints through the schools. The schools heard concerns from community neighbours and business, parents, students, and staff. All concerns were negative. Specifically those who complained were frustrated about the very graphic images by one group of protestors. The complaints found the incidents emotionally upsetting and most had questions about why such displays/protests were allowed to take place directly in front of the school. Parents specifically asked schools why they had allowed these protests to happen. Schools also received complaints about the imagery, the aggressive verbal engagement, and inflammatory comments used as a tactic by a group to solicit interactions/reactions. As noted some also received complaints about the inability of students to get into the school without exposure to the images. One school noted that because of smaller class sizes they were better able to address issues with students as things were happening. Others had concerns about their ability to do day-to-day work as well the ability to answer parents’ questions, and mitigate potential desire by parents to intervene, in the protests.



Calgary School Safe Zones

Stakeholder Report Back: What We Heard
2019 August 30

School response

Theme	Detailed Summary
Addressing the events with students and parents	<ul style="list-style-type: none">• Schools that experienced these instances were quick to act and would address the issue with students directly.• Six schools send out communications to parents regarding the incidents.• Five schools have to involve other school staff (guidance counselors, School Resource Officer, teachers, etc.) who would stay near the protests to provide support to students.• Three schools also noted follow-up calls and meetings with students and parents.• Two schools noted that they have the ability to handle their responses for events in school but need additional support, specifically from the School Resource Officer, for anything that happens outside of their property.
Impact of incidents: on school resources and people	<ul style="list-style-type: none">• Even though the schools were quick to action, they did share that when the events happened they were a significant disruption and resource drain.• Events impacted the day-to-day operations for staff as well as experience for staff and students.• There was more impact to the schools if the event was unexpected, where the school administration did not have advance warning from the School Resource Officer.• There was mixed experiences of advance warning, some schools were notified in advanced and others were not.• Eight schools also noted that the impact of the event were not just immediate. It had later impacts on administration time, student emotional support and personal needs, and the impact on students and the disruption to their day-to-day.• It was mentioned that students and staff who have had trauma in their lives, diagnosed level of anxiety, or depression are often affected by the protests for much longer and have experienced major setbacks.• Eight participants talked about how students were being exposed to graphic images, being antagonized, and that the students sometimes would argue with the protesters.• Eight participants saw these instances as particularly disruptive, creating a negative atmosphere overall and negative emotional impacts on both staff and students.

Interview participants were provided with this report via email on 2019 September 6 thanking them for their participation and informing them that it would be included as an attachment to the report to SPC on Community and Protective Services on 2019 November 13.

CANADIAN MUNICIPAL SCAN

Related Notices of Motion

City of Toronto

Background: On 2018 July 23, Toronto City Council adopted MM44.35: Use of the Public Right of Way for Display of Graphic Images, which directed staff in Transportation Services to provide a report on current by-laws intended to prevent interference with the public right-of-way caused by the display of temporary signs that contain graphic images. The member motion describes these signs as containing "graphic and/or disturbing images which appear to be intended to shock, alarm, or cause dismay".

On 2017 December 5, Toronto City Council adopted MM35.10: Distribution and Display of Graphic Images, which directed staff in Municipal Licensing & Standards division and Transportation Services to provide a report on options to regulate the distribution of print materials to private residences, and temporary signs that contain graphic images on the City's right-of-way.

Current Status: On 2019 October, Toronto City Council received an update on these motions through a Temporary Signs Bylaw Review report. Work has started on addressing MM35.10. Through a public consultation process, Toronto Administration received a considerable amount of feedback related to sign content however, further work needs to be done to review correspondence received through their public feedback process and evaluate recent developments in Canada with respect to the display of graphic images and inaccurate/misleading information in the public realm. It is expected that staff will be in a position to report back to City Council in 2020 Q2.

Town of Oakville

Background: On 2018 August, Oakville Council approved a motion that includes: "...that Council direct the Director of Municipal Enforcement, in consultation with the Town Solicitor, to assess options to: ...Regulate the display of banners/signs in public places as well as the distribution of print materials to private residences that contain extremely graphic images intended to shock, alarm, or cause dismay, including the potential for the prohibiting of the public display and distribution of such print materials for the purposes of addressing the potential of such display to cause harm to members of the public, especially children; and Report back to Council in 2019".

Current Status: 2018 August a letter was sent to the attorney general urging the Province to implement some regulation around the issue. The Notice of Motion report back has been extended to 2019 Q4 due to workload constraints and awaiting information from an external resource.

City of Hamilton

Background: Anti-abortion protesters were holding graphic abortion signs at a Secondary school, graphic abortion flyers were delivered to homes, banners with graphic images on highways, and on trucks. In June 2014, Motion 7.7 Regulations Respecting Advertising and Communication was carried regarding banners on overpasses to regulate the graphic images asking the federal and provincial government to pass laws/regulations to control the images.

Current Status: The resolution was forwarded to the Association of Municipalities of Ontario. There is no current update available.

Related Council Decision

City of Oshawa

Background: In 2018, Oshawa Councillors were asked to consider banning graphic anti-abortion posters in residential areas.

Outcome: Oshawa Council chose not to address the issue at the local level and voted to refer the issue to higher levels of government to the Federal and Provincial attorneys general.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1403**

Impact of Cannabis Bylaws

EXECUTIVE SUMMARY

In preparing for the legalization of cannabis, Council approved a new Cannabis Consumption Bylaw 24M2018 as well as several bylaw amendments. To ensure that the new bylaw and the amendments did not create unintended consequences, Council directed Administration to report back on the impacts of the bylaws in two specific areas: populations in Calgary experiencing vulnerability, and cannabis consumption areas at festivals and events. This report provides an overview of the impact of Calgary's bylaws that regulate cannabis on these specific areas as well as a general update on cannabis regulation in Calgary after one year of legalization.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommends that Council receives this report for the Corporate Record.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 February 25, Council approved Administration's request in Report CPS2019-0152 to defer the report on the impact of cannabis bylaws on vulnerable populations to Council through the SPC on Community and Protective Services Committee no later than 2019 Q4.

On 2018 June 25, as part of Report CPS2018-0718, Council directed Administration to work with stakeholders to monitor cannabis consumption areas at festivals and events and report back to Council through the SPC on Community and Protective Services in 2019 Q4.

On 2018 April 5, when reviewing CPS2018-0367 Council adopted a Motion Arising, moved by Councillor Colley-Urquhart, seconded by Councillor Carra, directing Administration to consult with key stakeholders and report back to Council, through the SPC on Community and Protective Services, no later than 2019 June on the implications and impacts of said bylaws with specific regard to minimizing unintended consequences and/or inequity amongst vulnerable populations.

BACKGROUND

In 2016, anticipating the impact of the legalization of non-medical cannabis on The City of Calgary, Administration established a working team of subject matter experts (SMEs) from across the Corporation, including representatives from the City Manager's Office, Intergovernmental & Corporate Strategy, Law, Planning & Development, Calgary Neighbourhoods, Calgary Community Standards, Calgary Transit, Human Resources and the Calgary Police Service. This group identified issues of concern and potential impacts of legalizing cannabis to The City of Calgary.

Additionally, Administration conducted research and engagement to better understand the views of Calgarians as well as best practices internationally. This information was used to inform the development of a new bylaw and amendments to existing bylaws approved by Council in 2018 April. To ensure that the bylaws were implemented as intended, Council directed Administration to report back after approximately one year of legalization to ensure that the enforcement of the bylaws were not having unintended consequences.

The legalization of cannabis resulted in multiple different approaches to regulation in provinces and municipalities across Canada. In addition to responding to Council's direction to report back

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1403**

Impact of Cannabis Bylaws

on the impact of municipal bylaws on vulnerable populations and on festivals and events, this report includes general information on the state of cannabis legalization in Calgary as well as anticipated next steps.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Measuring Impacts of Cannabis Legalization

Recognizing the need for data collection, Calgary's enforcement agencies - including: Calgary Community Standards, Calgary Transit and Calgary Police Service - implemented cannabis-specific data tracking to better understand the impact of legalization through the enforcement of Calgary's bylaws. Due to Council's early direction, Administration was able to focus data gathering efforts to recognize the impact on Calgarians experiencing vulnerability. A summary of cannabis-related enforcement actions can be found in Attachment 1. Further, Administration also partnered with researchers from the University of Calgary, with access to Alberta Health Services data, to monitor the impact on local hospital emergency wards. In addition, Administration engaged local organizations including the Alpha House and the Drop-in Centre, whose representatives indicated that they were unaware of cannabis bylaws having an impact on their clientele, but emphasized continued concern about other substances. The overall number of tickets for consumption of cannabis, particularly from Community Peace Officers and Transit Peace Officers, was relatively low. However, it should be noted that there were a high proportion of summons issued with ticket information indicating 'no fixed address.' This proportion, roughly 40 per cent, issued by Calgary Police Service (CPS) to citizens with no fixed address identified on the summons are of particular note. CPS subject matter experts indicated that the majority of these tickets were issued in District 1 which has been the focus of increased patrols to address areas with high incidence of crime and disorder concerns. Administration will continue to partner with CPS to monitor ticketing under the Cannabis Consumption Bylaw and will bring forward amendments as needed.

Regulating Cannabis Consumption at Festival and Events

Administration approved cannabis consumption areas at nine festivals during the course of the 2019 festival season. Festivals were required to have several operating guidelines in place for approval, including: screened consumption areas; trained staff to monitor concerns and ensure no minors accessed the areas; maximum occupant loads as per Calgary Fire requirements; minimum distance requirements from sensitive uses including playgrounds and splash parks; and security and medical plans. Requiring screening under our municipal bylaws also allowed these areas to be sponsored by cannabis companies, as it is a requirement of federal legislation that cannabis-related advertising and sponsorship may only take place in areas which, by law, are not accessible nor visible by minors. Because the Alberta Gaming, Liquor and Cannabis Commission does not license areas for both the sale and consumption of cannabis, sponsorship is one of the only methods that festival operators have to recoup the costs associated with establishing cannabis consumption areas. A summary of the festivals with approved cannabis consumption sites is found in Attachment 2. Overall, festival organizers reported that the designated consumption areas worked well with minimal concerns. All organizers who responded indicated they would incorporate these areas into their future events. Administration will continue to work with festival organizers to address any concerns and will continue to work with other orders of government to ensure clarity of regulations, and compliance of festival organizers.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1403**

Impact of Cannabis Bylaws

Current State of Cannabis Retail Sales

At the time of writing, Calgary has 66 provincially licensed cannabis retail stores, three federally licensed cannabis production facilities and development permits for several more stores and production facilities currently under review. According to Statistics Canada, between 2018 October and 2019 July, Alberta had the highest rate of legal cannabis sales in Canada. Calgary has more legally operating cannabis retail stores than any other Canadian municipality (see Attachment 3).

Current State of Legalization of Edibles

Under federal legislation, the legalization of the next phase of cannabis products, edibles, extracts and topicals, took effect on 2019 October 17. These products will be made available through the existing retail framework in Alberta including existing retail stores and the AGLC's cannabis website. The bylaws previously passed by Council already considered edible, extract and topical cannabis products and as such there is no requirement for bylaws to be further amended at this time. Although these new classes of products are effectively legal, due to a requirement for federal review and approval, as well as supply chain logistics, the earliest that they could potentially appear for sale would be 2019 December 16.

Next Steps

Administration will continue to monitor the evolution of cannabis legalization, and will continue to work with partners at other orders of government to ensure that municipal regulations address any issues or changes. Administration will also continue to advocate to other orders of government for a share of the federal cannabis excise tax revenue sufficient to offset the costs incurred by the municipality in preparing for, and implementing cannabis legalization.

Stakeholder Engagement, Research and Communication

In addition to monitoring the different approaches of municipalities across Canada, Administration has been working with local stakeholders to monitor the impacts of municipal bylaws on Calgary's citizens and businesses.

Administration contacted all festival operators with cannabis consumption areas after their events to determine the impacts and to gauge the likelihood of the organizers hosting future consumption areas. A summary of festival organizer responses can be found in Attachment 2.

In determining the impact of Calgary's cannabis bylaws on Calgarians experiencing vulnerability, Administration tracked both internal metrics in terms of tickets and warnings, but also worked with a researcher from the University of Calgary with access to provincial data outlining cannabis-related emergency room visits. This data was compared against the location of municipally licensed cannabis stores and found it is unlikely that the majority of emergency room visits are associated with legal cannabis retailers.

Strategic Alignment

This report aligns with Council's Directive of a City of Safe & Inspiring Neighbourhoods. Specifically, N1: Calgarians want neighbourhoods and public spaces that are safe, accessible and inclusive for all Calgarians.

**Community Services Report to
SPC on Community and Protective Services
2019 November 13**

**ISC: UNRESTRICTED
CPS2019-1403**

Impact of Cannabis Bylaws

Social, Environmental, Economic (External)

The legalization of cannabis has resulted in several social, environmental and economic impacts. Positive economic benefits to the city, included the licensing of 65 new retail spaces, three cannabis facilities, and an estimated construction value of \$16.7M as indicated on cannabis related building permits from 2018-2019 September. In addition, according to Statistics Canada, Alberta had retail cannabis sales in excess of \$170M from 2018 October – 2019 August. Environmentally, the extensive federal packaging requirements of legal cannabis products has been identified as a concern. Socially, cannabis stores did create concern in some communities in terms of proximity to sensitive uses. Required separation distances and discretionary development permits were utilized as methods to help mitigate these concerns. Several festivals have introduced cannabis consumption areas which have generally been well-received, and cannabis consumption bylaws did result in ticketing, albeit relatively low numbers when compared to other bylaw infractions. Calgary's bylaws were intended to address legalization in a manner which minimized negative social impacts while allowing for economic opportunities. While there are no amendments to the existing bylaws proposed in this report, Administration will continue to monitor the ongoing implementation of cannabis legalization and will respond by adapting regulations accordingly.

Financial Capacity

Current and Future Operating Budget:

There are no impacts to current and future operating budgets associated with this report. Total costs to The City, 2016-2019 YTD, including City Administration and Calgary Police Service as a result of legalization are estimated at \$10.3M. See Attachment 4 for a further breakdown. The Government of Alberta's Municipal Cannabis Transition Program provided one-time funding of \$3.84M, specifically for the time period from 2018 April - 2019 December. Administration continues to advocate to other orders of government for a share of cannabis tax revenue sufficient to offset the costs incurred to the municipality as a result of legalization.

Current and Future Capital Budget:

There are no impacts to current and future capital budgets associated with this report. Administration continues to advocate to other orders of government for a share of cannabis tax revenue sufficient to offset the costs incurred to the municipality as a result of legalization.

Risk Assessment

There is a continued risk of populations experiencing vulnerability being disproportionately represented in ticketing for cannabis-related offences. Administration will continue to work with City enforcement, including Calgary Police Service, to monitor the impact of cannabis-related bylaws, to ensure they are being implemented in the manner which was intended when they were created, and to bring forward amendments as required.

Community Services Report to
SPC on Community and Protective Services
2019 November 13

ISC: UNRESTRICTED
CPS2019-1403

Impact of Cannabis Bylaws

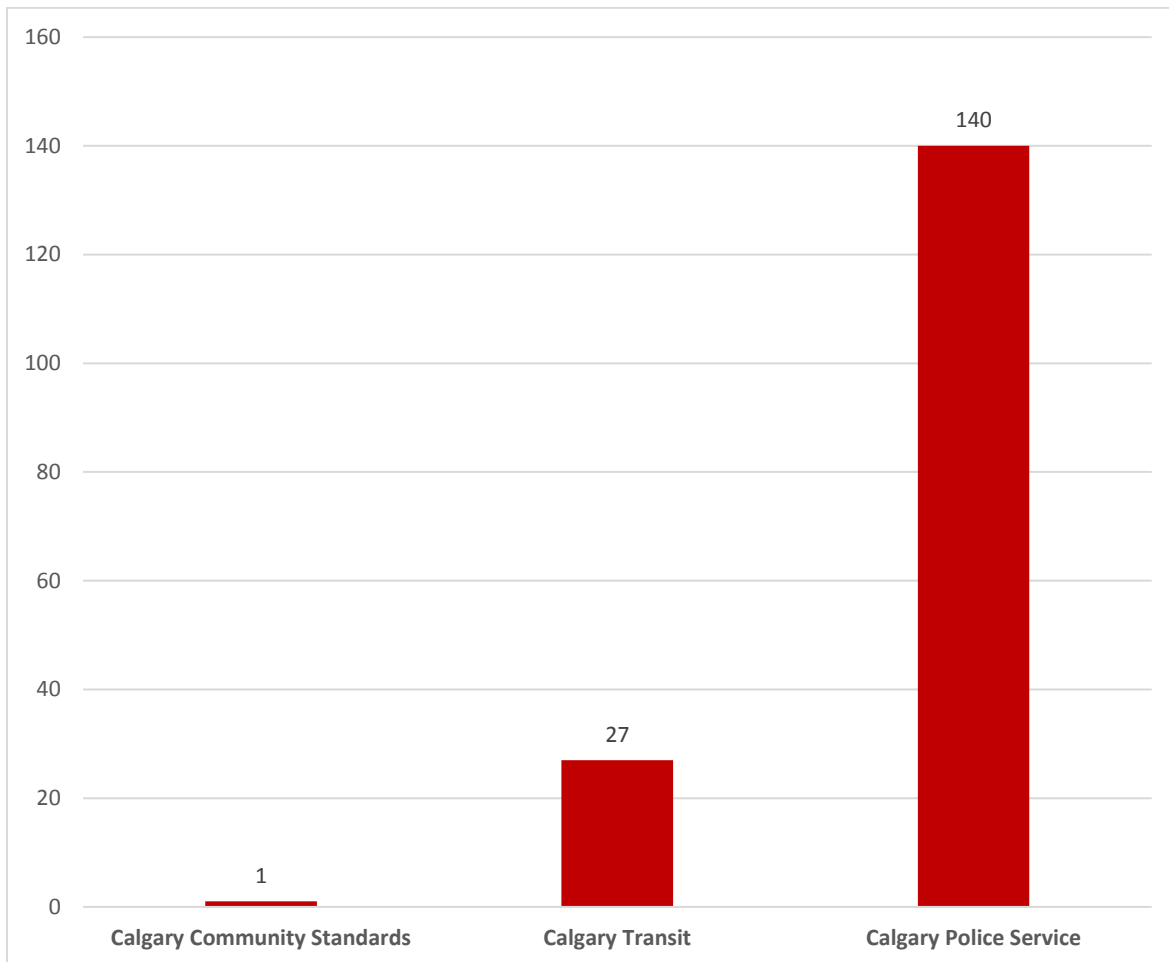
REASON(S) FOR RECOMMENDATION(S):

Council directed Administration to report back on the impacts of cannabis legalization. This report provides an update on the enforcement of The City's cannabis related bylaws. Administration will continue to monitor the ongoing implementation of cannabis legalization and will respond by recommending adaptations to municipal regulations as required.

ATTACHMENT(S)

1. Attachment 1 – Cannabis Consumption-Related Tickets
2. Attachment 2 – Summary of Calgary Festivals with Cannabis Consumption Areas 2019
3. Attachment 3 – Provincially Licensed Cannabis Stores by Municipality
4. Attachment 4 – Total Costs of Cannabis Legalization to The City of Calgary

Cannabis Consumption-Related Tickets 2018 Q4 - 2019 Q3

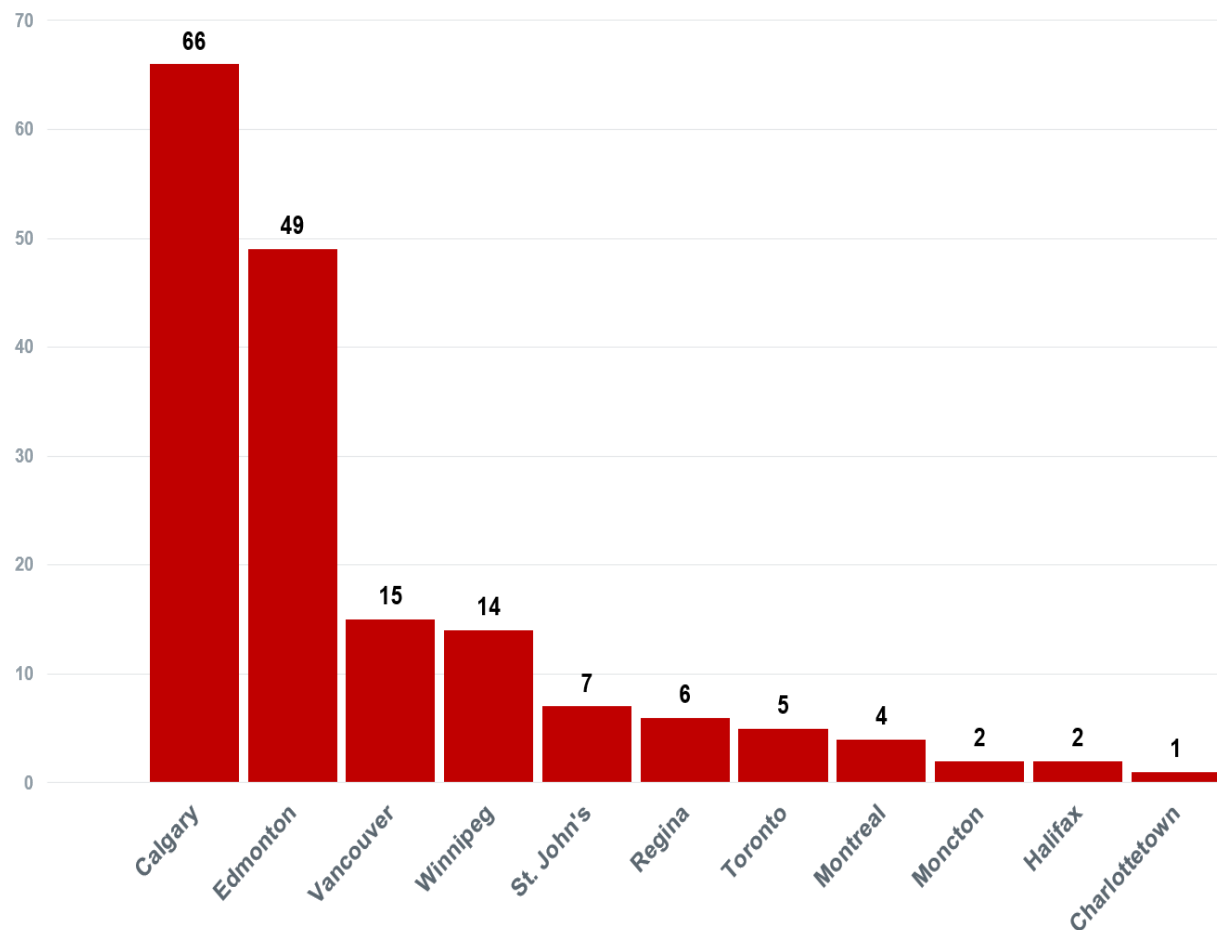


(Includes Tickets issued under the Smoking and Vaping Bylaw 23M2018, Cannabis Consumption Bylaw 24M2018 and the Tobacco and Smoking Reduction Act)

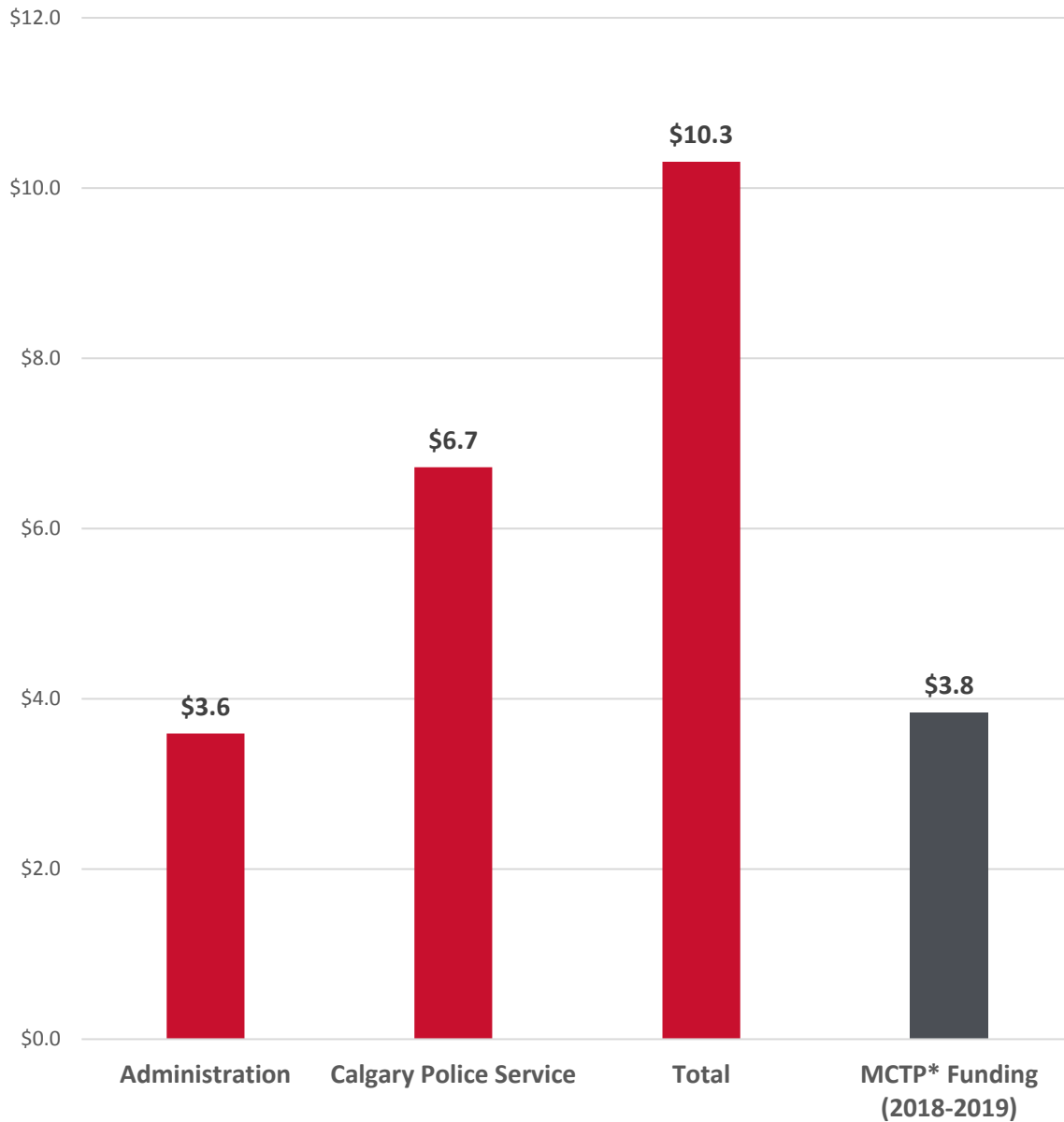
Summary of Calgary Festivals with Cannabis Consumption Areas 2019

Event Name	Event Date(s)	Event Location	City Identified Concerns	Event Coordinator Identified Concerns	Coordinator Plans on Hosting a Future Consumption Area
The Roundup Musicfest	July 10, 2019	Shaw Millennium Park	No concerns	No Concerns	Yes
Oxford Stomp	July 12, 2019	Shaw Millennium Park	No concerns	No Concerns	Yes
Calgary Folk Music Festival 2019	July 25-28, 2019	Prince's Island Park	One: 3-1-1 caller did not like that Cannabis is legalized, believes it should not be allowed at any festivals.	Patron concerns about distance from main stage. Patron concerns over limited size of consumption area	Yes
Chasing Summer Music Festival	August 3-4, 2019	Max Bell Centre	One: Health Canada concern - a banner being visible from outside the screened area.	No Concerns	Yes
Slam Festival 2019	August 9-10, 2019	Eau Claire Misc. GrnSp 131. 10th Wave to CPA lot 6	No concerns	Concerns over restrictions around screening and clarity of federal/provincial/municipal regulations	Yes
Country Thunder Alberta	August 16-18, 2019	Prairie Winds Park	No concerns	Patron concerns over limited size of area, and some subsequent line-ups	Yes
Alley Party	August 23, 2019	608 1st Street SW	No concerns	No concerns	Yes
Calgary Pride	September 1, 2019	Prince's Island Park	No concerns	No response	No response
Circle - The Traveling Food, Beer Music Carnival	September 13-14, 2019	Shaw Millennium Park	No concerns	No response	No response

**Provincially Licensed Cannabis Stores by Municipality
(As of 2019 October 28)**



**Total Costs of Cannabis Legalization to The City of Calgary
(Millions)
2016-2019 YTD Sept 30**



*Municipal Cannabis Transition Program (Government of Alberta)

REFERRED REPORT

Amendment to Fire Operations and Fees Bylaw 55M2014 – Referral and Update, CPS2019-1435

Memo:

At the 21 October 2019 Combined Meeting, Report CPS2019-11311 regarding an Amendment to the Fire Operations and Fees Bylaw 55M2014 to prohibit the sale and use of consumer fireworks in Calgary was referred to Administration to engage with stakeholders to consider options other than a ban on consumer fireworks and report back to the 13 November 2019 meeting of the SPC on Community and Protective Services.

In response, please find attached, the following additional materials for Council's information:

- Attachment 1 – Amendment to Fire Operations and Fees Bylaw 55M2014 Cover Report (21 October 2019)
- Attachment 2 – Proposed Bylaw
- Attachment 3- Municipal Bylaws for Fireworks – Alberta Summary
- Attachment 4 – Canadian National Fireworks Association Recommendations to Calgary Fire Department
- Attachment 5 – Internal Engagement Summary: Consumer Fireworks in the City of Calgary
- Attachment 6 – Correspondence from Calgary School Boards

Result of Council Direction

The Calgary Fire Department (CFD) expanded their existing engagement with key internal stakeholders and the Canadian National Fireworks Association (CNFA) to understand how fireworks use and sale could work in the Calgary context, if not fully prohibited. The findings from the engagements before and since the Combined Meeting of Council on 21 October 2019 can be found in the attachments.

Administration's Recommendation

After consulting with stakeholders, Administration's recommendation remains the same.

CFD has reviewed the CNFA's recommendation, as outlined in Attachment 4. CFD had a productive discussion with representatives from the CNFA on 5 November 2019, and recognizes that unregulated sales of fireworks currently exist in Alberta and that Calgarians are buying fireworks from online vendors or those not subject to Provincial or City regulations, and that this practice is unlikely to stop, whether or not a ban is put in place in Calgary. CFD also appreciates the position of the CNFA which is encouraging safe use of consumer fireworks and education for those who choose to use them.

Still, Administration holds the position that a bylaw allowing more use of fireworks than is currently permitted in Alberta will not make those who currently use consumer fireworks safer or more likely to

abide legislation governing fireworks use. The CFD also has not seen evidence that those fireworks currently being purchased by Calgarians are being used in a manner that puts the general public or property in Calgary at risk. Adopting a bylaw to allow use would legitimize the sale and use of fireworks, but would also increase use in the Calgary setting, therefore increasing risk in our city.

The CFD does not oppose the use of consumer fireworks in a safe and regulated manner in rural settings where there is enough space for spectators, buildings, and other obstacles to be a safe distance away from any combustible or flammable materials, and recognizes that in several rural areas, there already exists a permitting process for use and sale of consumer fireworks.

After consultation, CFD still remains concerned about the risk to people, property, and environment posed by consumer fireworks use within Calgary's urban landscape. Calgary Parks and Calgary Recreation are responsible for stewardship of the only public spaces in Calgary which could conceivably have enough space to set off consumer fireworks safely. Both these Business Units were not in favour of the use of consumer fireworks in these spaces, though there is already a permitting process in place for setting off fireworks in Calgary parks, which will remain in place. Calgary Community Standards was not concerned about the need to enforce a bylaw as long as there was a permit process in place, and the OPEN4Business team stated that they had not heard from any businesses who were looking for the opportunity to sell consumer fireworks in Calgary – however, it should be noted that there was not sufficient time for a full engagement with the business community. Additionally, both school boards in Calgary do not support pyrotechnics use on their properties, which would also conceivably have enough space for safe use of consumer fireworks, as seen in Attachment 6.

It is also important to note that comparable jurisdictions within Alberta have similar restrictions in place as are being proposed by Administration, and that the City Council of Vancouver recently approved a ban on use of consumer fireworks by 2021 after a 12-year pilot project allowing their use and sale in Vancouver.

With these findings in mind, the Calgary Fire Department continues to recommend prohibiting the use and sale of consumer fireworks in Calgary.

Item # 11.4.4

**Community Services Report to
SPC on Community and Protective Services
2019 October 09**

**ISC: UNRESTRICTED
CPS2019-1311**

Amendment to Fire Operations and Fees Bylaw 55M2014

EXECUTIVE SUMMARY

Regulations around consumer fireworks are being removed from the National Fire Code, Alberta Edition, effective 2019 December 1, meaning that municipalities are free to govern the use of consumer fireworks within their respective jurisdictions.

The Calgary Fire Department (CFD) supports businesses operating in a safe manner and contributing to Calgary's safe and inspiring neighbourhoods. When considering the sale and use of consumer fireworks within Calgary's city limits, in order to support The City's continued goal of supporting business-friendly initiatives, CFD aimed to balance public safety with the potential business opportunities related to consumer fireworks sales. It was determined that regulations and compliance conditions required to sell and use fireworks would present undue red tape for businesses and potentially counteract any economic benefit of opening up the consumer fireworks market in Calgary.

As a result of this analysis, Administration recommends that an amendment be made to the Fire Operations and Fees Bylaw 55M2014 to continue to allow professional fireworks operators to work in accordance with current processes but to prohibit consumer fireworks in Calgary. This recommendation is made to uphold public safety related to consumer fireworks use and does not change the current state of fireworks use in Calgary.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services recommends that Council give three readings to the proposed bylaw to amend Bylaw 55M2014, City of Calgary Fire Operations and Fees Bylaw (Attachment 1) to prohibit the sale and use of consumer fireworks.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2019 OCTOBER 09:

That Council:

Give three readings of **Proposed Bylaw 29M2019**.

PREVIOUS COUNCIL DIRECTION / POLICY

The Fire Operations and Fees Bylaw 55M2014 came into effect 2015 January 1 and provides the CFD with its authorities, governance and operating framework.

On 2014 October 6, Council approved Bylaw 55M2014, City of Calgary Fire Operations and Fees Bylaw. This bylaw combined three existing bylaws into a single governing document. The three bylaws that were replaced by Bylaw 55M2014 were:

- Bylaw 37M84, The Calgary Fire Department Bylaw
- Bylaw 40M2003, The Fire Fees Bylaw
- Bylaw 48M2003, The Commercial Burning Bylaw

BACKGROUND

The CFD adheres to and upholds the regulations of the Alberta Fire Code (soon to be renamed National Fire Code, Alberta Edition) and the Alberta Safety Code. Under the Safety Codes Act, Alberta adopts the latest edition of the National Fire Code of Canada and makes changes so the resulting document fits the Alberta legislative framework and meets the needs of Albertans. The objectives of the Alberta Edition of the National Fire Code (or the “Alberta Fire Code”) are health, safety and fire protection of buildings and facilities.

Locally, the Fire Operations and Fees Bylaw is in place to protect the safety, health and welfare of people and property. It gives the CFD the mandate to provide emergency and rescue services and sets out CFD’s authority at incident scenes, as well as enables the Fire Chief to issue permits to regulate activities to help ensure the safety of Calgarians.

The sale and use of consumer fireworks has been generally governed by the Alberta Fire Code, and was historically prohibited in Alberta unless specific requirements were met by the vendor and the purchaser/user. In 2019, the Alberta Edition of the National Fire Code removed the reference to consumer fireworks, which left the regulation of consumer fireworks up to municipalities, though firecrackers are still governed by the Alberta Fire Code in the new edition.

Through the Fire Operations and Fees Bylaw 55M2014, the CFD has jurisdiction over fire safety matters within Calgary city limits, and so an amendment to the Fire Operations and Fees Bylaw 55M2014 is proposed that would continue to prohibit the use and sale of consumer fireworks in Calgary. This is intended to preserve public safety and mitigate the significant risks associated with consumer fireworks, especially in an urban residential setting.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The CFD contributes to making Calgary a great place to make a living and a great place to make a life. To fulfill this mandate, the CFD recognizes that it must maximize public safety while minimizing unnecessary red tape for businesses. By applying the lens of upholding vibrant and safe communities, CFD is able to support Calgarians’ safety in their everyday lives as well as during milestones and large celebrations. CFD works closely with the Internal Events Team and the OPEN4Business team to support businesses in Calgary while keeping visitors, citizens and business owners safe.

The proposed amendment to the Fire Operations and Fees Bylaw that would prohibit consumer fireworks in Calgary is included fully in Attachment 1. In considering this amendment, significant research was done to understand the options presented by the removal of consumer firework regulations from the Alberta Fire Code. These options included:

1. Allow the sales and use of consumer fireworks, as is done in parts of the United States and some Canadian jurisdictions;
2. Regulate certain aspects of use and sales; or
3. Prohibit all sales and use of consumer fireworks within Calgary.

In making the recommendation to carry out option 3, the CFD considered the potential economic benefit of consumer fireworks sales. It is difficult to predict the actual economic benefit as the market for consumer fireworks in Calgary has never existed before. In the US annually, consumer fireworks sales nationally total close to \$1 billion, however, regulations vary from state to state. While recognizing a potential economic benefit to businesses of selling

fireworks, it must be acknowledged that fireworks are directly responsible for a significant number of injuries and fires each year.

Research shows that the risk to the public posed by widespread use of consumer fireworks is significant. Available data is mostly from a United States context, and shows that each year, consumer fireworks contribute to a significant number of fires, deaths, and injuries, as well as substantial property damage and loss.

Information from Alberta about the risks of consumer fireworks is basically non-existent, because they have historically been illegal. This means that injuries or fires resulting from the use of consumer fireworks are rare, and those related to fireworks obtained illegally are more likely to go unreported or reported as caused by something else to avoid penalties.

The National Fire Protection Association (NFPA) estimates that US fire departments respond to an average of 18,500 fireworks-related fires per year, including 1,300 structure fires, 300 vehicle fires, and 16,900 outside and other fires. These fires caused an average of three deaths, 40 civilian injuries, and an average of \$43 million in direct property damage. Therefore, the NFPA advocates that only professionals should be handling fireworks of any kind.

According to the Consumer Product Safety Commission, in the United States in 2018, there were 9,100 fireworks-related injuries seen in US hospital emergency rooms, with 36 per cent of these affecting children under 15, and nearly half affecting people under 20 years old. Children 10 to 14 years old had the highest rate of fireworks-related injuries treated in US emergency rooms, at 5.2 per 100,000. Hands, fingers, legs, eyes, head, face, ears and arms were the most common areas of injury.

In a Calgary context, if these proportions are projected, this could mean an additional 15 to 20 fires due to fireworks, 36 injuries (with about 13 cases affecting children under 15), and up to \$1 million in property damage.

To mitigate the risks associated with consumer fireworks, manufacturers suggest a minimum safe clearance of at least 20 metres in height and distance from spectators and structures for the smallest consumer fireworks, and up to 110 metres away from buildings, animals or people for the largest. With this in mind, most private property in Calgary does not have the space for consumer fireworks to be used according to the manufacturer's own safety instructions. Even if consumer fireworks sales were permitted in Calgary, safe places to use them would be extremely limited or non-existent, consisting mainly of City public parks and green spaces.

Additionally, if consumer fireworks were permitted to be sold within Calgary city limits, businesses selling fireworks would need to comply with strict federal regulations on the storage of fireworks, and would be responsible for ensuring that customers purchasing fireworks had the proper training and knowledge to set them off safely, and that they were doing so in an appropriate location. These types of regulations are in line with permit processes in Canadian jurisdictions where consumer fireworks are available for sale. It should also be noted that no comparable Alberta jurisdiction allows the sale of fireworks to the general public within the city limits. Edmonton's regulations, for example, limit the sale of fireworks to certified display technicians with conditions similar to the display fireworks requirements included in the Alberta Fire Code.

Fire Marshals across Alberta share concerns about the public safety risks posed by consumer fireworks. As a result, eight major municipalities in Alberta, including Edmonton, Medicine Hat,

Red Deer, Lethbridge, Grand Prairie, Regional Municipality of Wood Buffalo, Strathcona County and Calgary have drafted bylaws which prohibit the purchase and discharge of consumer fireworks. A number of these bylaws have been approved, and others are still in draft or currently under consideration by Council. A high-level summary of these bylaws and their respective status is included in Attachment 2.

With this information in mind, the recommendation to prohibit consumer fireworks in Calgary is made. The recommendation continues to protect public safety and is in the best interests of business owners, as the sale of consumer fireworks would come alongside several federal regulations, permit processes and responsibilities for business owners selling fireworks, in accordance with the federal Explosives Act.

No change is proposed to the current process for commercial or display fireworks, which allows for fireworks during large celebrations such as the Calgary Stampede, Canada Day and Globalfest, among others, under the license of a certified fireworks operator certificate issued by Natural Resources Canada. Under this current process, minors are not allowed to handle fireworks, property owners need to provide written consent for fireworks to be used, and those using fireworks need to comply with various industry regulations, among other requirements. All of these requirements allow fireworks to be used safely in celebrations and community events for the public to enjoy.

Stakeholder Engagement, Research and Communication

On 2019 May 23, CFD's Fire Marshal and Inspections Coordinators took the opportunity to attend a presentation delivered by the Canadian National Fireworks Association (CNFA) to a group of Fire Marshals from across Alberta, in order to understand more about the consumer fireworks industry. At that presentation, the CNFA proposed a partnership model to work with municipalities to allow safe and responsible use of consumer fireworks. The discussion included recognition that those using consumer fireworks would need to provide site plans, proactive proof of code compliance, and risk mitigation plans.

CFD also engaged other municipalities across Alberta to understand how they were planning to regulate consumer fireworks, in order to draw comparison for the Calgary context and ensure the proposed bylaw amendment for Calgary aligned with comparable jurisdictions.

Additionally, CFD is engaged with the OPEN4Business group, the Internal Events Team and Calgary Business Services to ensure that business opportunities are made available to Calgarians in a safe and efficient way. In order for the sale of consumer fireworks to be safe, a significant level of regulations would be required, and business owners would take on a high degree of responsibility for ensuring consumer fireworks were used safely by their customers.

Strategic Alignment

This recommended bylaw amendment aligns with the following Council directive:

A City of Safe and Inspiring Neighbourhoods: Prohibiting the use of consumer fireworks, but allowing for fireworks permits to be issued to professionals using display fireworks for large events keeps Calgarians safe while allowing for celebrations and community events.

Social, Environmental, Economic (External)

Prohibiting the use of consumer fireworks in Calgary will continue to support safe and vibrant communities for Calgarians, while maintaining opportunities for display fireworks to be enjoyed as part of large celebrations. There are no environmental impacts as a result of this recommendation, and no foreseeable economic impact as a result of prohibiting consumer fireworks, as they are not currently permitted for sale within Calgary.

Financial Capacity

Current and Future Operating Budget:

This recommendation does not require additional operating budget funding.

Current and Future Capital Budget:

This recommendation does not require additional capital budget funding.

Risk Assessment

The risk of not accepting this recommendation is primarily related to public safety. Consumer fireworks pose a direct risk to the safety both of those setting them off and those nearby, who may be impacted by a wayward explosive. They also pose a risk to property, pets, and children.

It is recognized that approving this recommendation also eliminates potential business revenue of selling fireworks, but this market does not exist currently. Consumer fireworks sales do not present an accessible business opportunity due to the amount of regulation and compliance requirements that would be the responsibility of businesses who wished to sell consumer fireworks.

REASON(S) FOR RECOMMENDATION(S):

This recommendation is made to fill the need for regulation to preserve public safety as related to consumer fireworks since the Alberta Fire Code no longer governs their use. The proposed bylaw amendments uphold public safety related to consumer fireworks and do not change the current state of fireworks use in Calgary.

ATTACHMENT(S)

1. Attachment 1 – **Proposed Bylaw 29M2019**
2. Attachment 2 – Municipal Bylaws for Consumer Fireworks in Alberta, September 2019

PROPOSED

CPS2019-1311
ATTACHMENT 1

BYLAW NUMBER 29M2019

BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 55M2014, THE FIRE OPERATIONS AND FEES BYLAW *****

WHEREAS Council has considered CPS2019-1311 and deems it necessary to amend the Fire Operations and Fees Bylaw 55M2014;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 55M2014, the Fire Operations and Fees Bylaw, as amended, is further amended.
2. The following is added to the preamble:

“AND WHEREAS section A-2.2 of Division C of the National Fire Code – 2019 Alberta Edition adopted under the Safety Codes Act, RSA 2000, c S-1, recognizes the power of municipalities to provide for permits and licences for *Fireworks* displays under a municipal bylaw.”

3. (1) In section 2(1), after the definition of *City*, the following definition is added:

““*Consumer Fireworks*” means low hazard *Fireworks* intended for recreational use and that fall under Part 16 of the *Explosives Regulation*, S.O.R. 2013-211 made under the *Explosives Act*, R.S.C. 1985 c. E-17;”

- (2) In section 2(1), after the definition of *Department*, the following definitions are added:

““*discharge*” means to fire, ignite, explode or set-off or cause to be fired, ignited, exploded or set-off;”

““*Display Fireworks*” means high hazard *Fireworks* designed for professional use and that fall under Part 18 of the *Explosives Regulation*, S.O.R. 2013-211 made under the *Explosives Act*, R.S.C. 1985 c. E-17;”

- (3) In section 2(1), the definition of *fireworks* is deleted in its entirety and the following is substituted:

““*Fireworks*” means *Consumer Fireworks*, *Display Fireworks*, *Special Effect Pyrotechnics*, or *Firecrackers*;”

- (4) In section 2(1), after the definition of *Fireworks*, the following definition is added:

BYLAW NUMBER 29M2019

“*Fireworks Operator Certificate*” means a certificate issued pursuant to Parts 17 and 18 of the *Explosives Regulation*, S.O.R. 2013-211 made under the *Explosives Act*, R.S.C. 1985 c. E-17;”

- (5) In section 2(1) the words “*Alberta Fire Code 2014*” are deleted from the definition of *firecrackers* and the following is substituted:

“National Fire Code – 2019 Alberta Edition”;

- (6) In section 2(1), after the definition of *member*, the following definition is added:

“*Offer for sale*” includes displaying *Fireworks* in a store or advertising that *Fireworks* are for sale in a store, or advertising on an online message board that *Fireworks* are for sale within the *City*;

- (7) In section 2(1), after the definition of *security alarm system*, the following definition is added:

“*Special Effect Pyrotechnics*” means the use of chemicals to create heat, light, gas, smoke, or sound for use for live stage performances and television industry and includes “special effects pyrotechnics”, “smokeless powder” and “special purpose pyrotechnics” as defined in section 361 of Part 17 of the *Explosives Regulation*, S.O.R. 2013-211 made under the *Explosives Act*, R.S.C. 1985 c. E-17.”

4. After section 19.3 the following is added:

PART V.2

FIREWORKS

Prohibition

- 19.4 (1) A *person* must not display, sell, or offer for sale *Consumer Fireworks* or *Firecrackers*.
- (2) A *person* must not purchase or offer to purchase *Consumer Fireworks* or *Firecrackers* without a valid and subsisting *Fireworks* permit.
- (3) A *person* must not *discharge Fireworks* without a valid and subsisting *Fireworks* permit issued by the *Fire Chief*.
- (4) A *person* must not handle, store, possess or *discharge Fireworks* in a manner that is contrary to the terms and conditions of a *Fireworks* permit.

Permits

- 19.5 (1) The *Fire Chief* may:
- (a) issue *Fireworks* permits;

BYLAW NUMBER 29M2019

- (b) issue a *Fireworks* permit on a one-time or multiple basis;
 - (c) charge a fee for the issuance of a *Fireworks* permits;
 - (d) amend or revoke a *Fireworks* permit at any time;
 - (e) require a site inspection before issuing a *Fireworks* permit;
 - (f) require a site inspection prior to any *Fireworks* being discharged pursuant to a *Fireworks* permit;
 - (g) require a Safety Codes Officer to be present while *Fireworks* are being *discharged* as a condition of a *Fireworks* permit;
 - (h) charge a fee for any inspections relating to a *Fireworks* permit;
and
 - (i) attach terms and conditions to a *Fireworks* permit.
- (2) In the case of a multiple *Fireworks* permit containing terms and conditions meant to apply to all *Fireworks* discharged pursuant to the permit, the *Fire Chief* may waive terms and conditions in relation to a specific events or activities, upon application in writing by the *person* to which the *Fireworks* permit has been issued.
- (3) The *Fire Chief* is not required to issue a *Fireworks* permit unless the required fee for the permit has been paid by the *person* applying for the permit.
- (4) Fees paid for a *Fireworks* permit are not refundable.
- (5) *Fireworks* permits are not transferable.
- (6) If, in the sole opinion of the *Fire Chief*, discharging *Fireworks* poses a danger or does not comply with the requirements of this Bylaw or the terms and conditions set out in a *Fireworks* permit, the *Fire Chief* may:
- (a) direct the *Fireworks* event or activity to stop forthwith;
 - (b) issue an order to stop a *Fireworks* event until the terms and conditions are met;
 - (c) revoke the *Fireworks* permit; or
 - (d) take any other step the *Fire Chief* deems necessary to ensure public safety.
- 19.6 An application for a *Fireworks* permit must be in the form and contain the information prescribed by the *Fire Chief*.

BYLAW NUMBER 29M2019

19.7 A *Fireworks* permit holder must:

- (a) ensure that *Fireworks* are not accessible by a *person* who is a minor;
- (b) obtain the written consent of the *property owner* on whose property the *Fireworks* will be discharged;
- (c) have a valid *Fireworks Operator Certificate*; and
- (d) comply with the *Explosives Regulation*, the Display Fireworks Manual 2010 Natural Resources Canada, and the Special Effects Pyrotechnics Manual 2014 Natural Resources Canada as applicable;
- (e) comply with any other conditions or terms imposed by the *Fire Chief*.

19.8 The owner of a parcel of land is liable for expenses and costs related to the municipality attending at, and if necessary, extinguishing fires either on or off the parcel that are caused or exacerbated by any *person* storing or *discharging Fireworks* on the parcel.”

5. In Schedule “B”, under the headings indicated, after:

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
“19.1(3)	Engage in <i>blasting</i> contrary to permit	\$5000	\$7500”

the following is added:

<u>Section</u>	<u>Offence</u>	<u>Minimum Penalty</u>	<u>Specified Penalty</u>
“19.4(1)	Display, Sell, or Offer for Sale <i>Consumer Fireworks</i> or <i>Firecrackers</i>	\$500	\$750
19.4(2)	Purchase or Offer to Purchase <i>Consumer Fireworks</i> or <i>Firecrackers</i> without a permit	\$250	\$500
19.4(3)	<i>Discharge Fireworks</i> without a permit	\$250	\$500
19.4(4)	Handle, store, possess or <i>discharge Fireworks</i> contrary to permit	\$250	\$500
19.7(a)	Fail to ensure <i>Fireworks</i> are not accessible by a minor	\$250	\$500
19.7(b)	Fail to obtain consent of owner	\$500	\$750
19.7(c)	Fail to have a valid Fireworks Operator Certificate	\$500	\$1000
19.7(e)	Fail to comply with a term or condition imposed by the <i>Fire Chief</i>	\$750	\$1000”

Coming into Force

6. This Bylaw comes into force on December 1, 2019.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

Municipal Bylaws for Consumer Fireworks in Alberta - September 2019

Municipality	Bylaw Status	Consumer sales /discharge	Permit required for display fireworks
Airdrie	Yes	Prohibited	Yes
Black Diamond	Yes	Prohibited	Yes
Cochrane	Yes	Prohibited	Yes
Edmonton	Under Law review prior to Council.	Currently Prohibited. Proposal to Council will permit sales to certified display technicians (not public) with conditions similar to Display Fireworks requirements including all of the previous set back rules from AFC, compliance with NRCAN Display fireworks guide, complete Emergency Action plan acceptable to EFD and EPS, site remediation plan, defined fallout zone perimeter, permit required to purchase. Police approval for location. EPS bomb tech will enforce explosives regulations.	Yes
Foothills County	Yes	Permitted in rural with permit.	Yes
Grand Prairie	Yes	Allowed with permit - only 2 private properties eligible for permit or in a park if a park permit is also issued.	
High River	Yes - under review	Prohibited	Yes
Lethbridge	Yes	Prohibited	Yes
Medicine Hat	At Council	Prohibited	Yes
Okotoks	Yes	Prohibited	Yes
Red Deer	Yes	Prohibited	Yes
Rockyview	Yes	Prohibited unless allowed by Permit.	Yes
Strathcona	In Draft	Permitted in rural, prohibited in urban.	Yes
Turner Valley	Yes	Prohibited	Yes
Wood Buffalo	Yes	Prohibited	Yes



Canadian National Fireworks Association
PO Box 1238
Aldergrove, BC
V4W 2V1

Tel: 604-853-2255
Toll Free: 1-855-652-CNFA (2632)
Fax: 604-852-3469
nationalfireworks.ca

Date: November 5, 2019

Prepared for: Calgary Fire Department

Prepared by: Canadian National Fireworks Association

RE: Amendment to Fire Operations and Fees Bylaw 55M2014

The Canadian National Fireworks Association (CNFA) became active in Alberta several years ago when the province first looked at changing their regulations relating to consumer fireworks in the Alberta Fire Code (AFC).

In anticipation of changes to provincial regulations, CNFA participated at the municipal level with governments, fire departments and the public in order to offer support and better understand the issues municipalities were facing regarding the sale and use of consumer fireworks. Based on the feedback we received, CNFA worked with the province as they modified the AFC, which resulted in municipalities gaining the autonomy to regulate consumer fireworks.

As a result of City Council's decision on October 22, 2019 to refer the staff report to "Administration to engage with stakeholders to consider options other than a ban on consumer fireworks and report back to the 13 November 2019 meeting of the SPC on Community and Protective Services", along with the association's experience across the country, we have compiled this document to support our recommendations for a bylaw to regulate consumer fireworks; one that promotes safety and is enforceable.

Low-hazard fireworks, high-hazard fireworks and illegal fireworks

Low-hazard fireworks, commonly known as "consumer fireworks" and "family fireworks," are rigorously tested before being approved for recreational use by the federal government. Canadian testing standards are some of the most stringent in the world. Once products are tested and approved, they are safe for use by people 18 years and older. There have been no deaths relating to low-hazard fireworks over the past 30 years in Canada. The products have a fraction of the pyrotechnic compositions that are used in other levels of fireworks and are intended for use by the general public.

High-hazard fireworks which include "display fireworks" and "special effect pyrotechnics" are designed to be used only by certified professionals. They include much larger products for large shows, as well as special-purpose products for the film industry. In order to use high-hazard fireworks, you are required to be certified as a Fireworks Supervisor by Natural Resources Canada. Only .0003% of the population in Canada has this certification.



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Firework products such as firecrackers, cherry bombs, snaps, and M-80 salutes are often mistaken as legal in Canada when in fact, **they are illegal**. These illegal firework products have not been approved by the federal government and therefore are not legal products for recreational use. Countries like the U.S. permit these products, which is why some assume they are also legal here.

Comparing products allowed for use in the U.S. and Canada is like comparing apples to oranges- *they are very different*. Low-hazard, high-hazard, and illegal fireworks differ immensely in properties, certification requirements and risk, however, those distinctions are not always clear to the general public.

Consumer fireworks were removed from the Alberta Fire Code for a reason

Consumer fireworks, until April 2019, were regulated provincially in the Alberta Fire Code (AFC) through a series of stringent requirements to purchase and use products. The province understood the AFC was not working for a number of reasons and released the document “*Fireworks: What We Heard*” to share their findings, in hopes of changing the regulations in the future.

As outlined in this 2016 provincial document, the AFC required a series of onerous steps for the public to purchase and use consumer fireworks which ultimately resulted in a substantial number of individuals disobeying the regulations.

“Most participants agreed that the AFC was problematic for a number of reasons:

Permit Process: The permit process is difficult for consumers to comply with, and for municipalities to administer:

- *Multiple permissions are required for the consumer;*
- *There is no way to coordinate permissions in many municipalities;*
- *Permits are often difficult to access because they need to be acquired from the local fire department which may or may not be available at convenient times.*
- *There is a high degree of variability in how municipalities permit low-hazard fireworks, adding to confusion for consumers.” (Page 5, s. 3.3)*

The CNFA does not support or recommend any city to implement a system that was deemed “problematic” by the Province of Alberta. This includes the requirement to obtain written permissions from multiple fire departments across Alberta, in order for the public to purchase low-hazard firework products. It is not enforceable and is extremely onerous on otherwise law-abiding individuals.



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Fireworks can be accessed in multiple ways

Access to fireworks is prevalent throughout Canada in many different ways. Federally approved consumer fireworks are available in retail stores where municipalities allow sales, and online from retailers and distributors across the country. These products, when shipped or purchased, are legal and it's incumbent on the purchaser to abide by the local firework bylaw where they plan to discharge.

Illegal and unauthorized products can also be purchased through multiple avenues. Many First Nations reserves sell firework products year-round and are not mandated to follow the same guidelines as municipal retailers. Also, fireworks can be bought online on websites such as Craigslist, or brought back from the U.S., which may not be approved for use in Canada.

The *Fireworks: What We Heard* document highlights this as being an enforcement issue:

"Fireworks can be accessed outside of the provincial system:

- *Fireworks sold on First Nations are not subject to provincial rules;*
- *Fireworks can easily be purchased online."* (p.5)

Through our experience, onerous consumer firework regulations can lead the public to access fireworks illegally. It does not eliminate their desire to use products.

CNFA's recommendations are guided by the province

For continuity, CNFA would like to use the provincial *Fireworks: What We Heard* document s. 3.5 *What principles should guide an effective system?* to support our recommendations.

Principles:

Municipal Autonomy: *The role of the municipality in determining whether to allow low-hazard fireworks in the community and set limitations on their use is respected.*

Alberta-wide polling data shows 64% of Calgary residents believe they should be able to use legal consumer fireworks for special celebrations.

Clear, transparent, simple, and accessible rules: *Rules are easy for stakeholders to access, understand, and follow.*

The current permit system, as well as the new proposed permit system, is not easy for residents and business owners in Calgary to access, understand or follow. Currently, before purchasing fireworks within the community, the following steps must be taken:



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-
- Go to a retailer to determine what products are permissible for use within their community;
 - Make a list of the desired products;
 - Take said list to the designated fire department office during business hours for review; and
 - Once approval has been granted, which may take several days, the purchaser must then return to the original retailer with the required permits to make their purchase.

Effectiveness: *The regulatory system is able to achieve its outcomes because it is enforceable, reasonable, flexible, and practical.*

The CNFA, the City of Calgary and the Calgary Fire Department are in alignment that public safety is paramount. By implementing enforceable regulations that allow trusted retailers to sell federally approved consumer firework products, we are able to promote and educate on the safe and proper use at point of sale. Currently, there is no opportunity for education, putting the city in heightened risk.

Consistent: *Low-hazard fireworks are regulated consistently across the province.*

CNFA is a willing and able partner for cities across the province in helping to achieve bylaw consistency.

Proportional: *Compliance mechanisms are proportionate to the infraction.*

Fines and fees should be set to heavily encourage individuals to follow the rules in the bylaw, and fees for retailers can help offset costs incurred for enforcement.

Safety: *The system is focused on safety.*

Giving the public access to federally authorized legal products through reputable vendors, in our experience, is the best way to mitigate risk. Education at point of sale on the safe use is paramount to a safe and enjoyable experience.

Collaboration: *Collaboration between municipalities is encouraged to enhance the effectiveness of municipal enforcement and management of fireworks.*

CNFA continues to work with several municipalities across Alberta, including but not limited to Calgary, Edmonton, Airdrie, Grand Prairie, Crossfield, Red Deer, Medicine Hat and others to find similar bylaw solutions.

These seven core principles, as provided by the province, can be addressed through a CNFA-recommended bylaw.



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What are other municipalities doing?

The CNFA works with municipalities across Canada in order to create consumer firework bylaws that are balanced and enforceable. Though we do not believe in a “one size fits all” solution, there are commonalities between municipalities with enforceable bylaws that will be expressed and recommended to the Cities of Calgary and Edmonton.

Pragmatic bylaws

Toronto, ON¹

- Permits issued by the City for vendors to be able to sell consumer fireworks year-round
- Permits issued by the City for temporary stores for a period of time leading up to Canada Day, Victoria Day and Diwali
- States: LOW HAZARD FIREWORKS - Fireworks that are relatively innocuous in themselves and not liable to explode violently or all at once and have the same meaning as in the Explosives Regulations.
- Allows for residents to discharge low-hazard fireworks on Victoria Day and Canada Day (+/- one day) without a permit from the City
- The rest of the year, residents can apply for a permit from their fire department
- This permit is to *discharge* consumer fireworks within the city, n/a to purchase

Saskatoon, SK²

- Requires a permit to sell consumer fireworks from the Fire Department
- Residents can discharge consumer fireworks on Canada Day, Labour Day, Victoria Day, and New Year's Eve until 12:15 AM New Years Day.
- Residents need a permit from the Fire Department for use on other days of the year to *discharge*

Across the country, cities are enforcing consumer fireworks bylaws which allow for the public to purchase and use federally-authorized products, while still remaining in control of the regulatory process.

¹ Toronto Municipal Code Chapter 466: Fireworks: https://www.toronto.ca/legdocs/municode/1184_466.pdf

² Bylaw No. 7990 The Fire and Protective Services Bylaw, 2001,
<https://www.saskatoon.ca/sites/default/files/documents/city-clerk/bylaws/7990.pdf>



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CNFA recommended bylaw characteristics

CNFA recommends a bylaw to the City of Calgary with the following characteristics:

- Allow for year round sales from reputable retailers. Retailers to apply for a permit to sell, approved by the city, with a fee attached
- Require retailers to complete a CNFA vendor training course before their license is approved.
- Similar to the Toronto model; allow for two holidays, Victoria Day and Canada Day, for the public to use consumer fireworks without a permit to discharge (called “open dates”).
- Times outside of “open dates” will require a permit to discharge within the city from the fire department.
- The days that are not “open date”, which would require a permit from the City, should be streamlined, standardized, easy to administer at point of sale, (i.e. online through the city website), and provide educational materials in order for it to be effective.
- The permit is to be administered by Fire Services.
- Recommendation to review this process in three years and evaluate if anything needs to be changed i.e. opening other dates or changing the open dates.

The CNFA believes that, through this framework, the City of Calgary will be aligned with other cities across the country that regulate consumer fireworks. This system incorporates recommendations provided by the province and is restrictive in nature, yet enforceable. At your request, the CNFA can participate in education for retailers and the public on proper sale, purchase and use of consumer fireworks which we have found through experience, is the best way to keep communities safe.

Thank you for your time and consideration.

Perry Logan
Executive Director
Canadian National Fireworks Association

Business Unit	Position
Calgary Parks	<p><u>General comments</u></p> <ul style="list-style-type: none"> Calgary Parks has a permit process in place for groups who wish to use fireworks in City parks as per Sections 9(1)(f) and 9(2) of the Parks and Pathways Bylaw (11M2019) There have been minimal Director Authorization requests for use of fireworks in City parks with approximately 1-5 per year over the last 5 years. These are mainly Community Association requests (the number does not include major events that are approved through the Interdepartmental Events Team process) During the engagement process for the revised Parks and Pathways Bylaw (May 2018), there were no comments specific to the use of fireworks in parks (there were specific comments on and support for fire pits and fire spinning) Research for the new Parks and Pathways Bylaw indicated that all reviewed jurisdictions have restrictions on fireworks in parks <p><u>Considerations/Impacts</u></p> <ul style="list-style-type: none"> Expanding the use of fireworks in parks could impact public safety, and citizen access to and enjoyment of public parks due to safety restrictions and noise Other risks include risk of fire, damage to assets, impacts to wildlife/birds and an increase in litter/debris Adjustments to the existing permit process may require a bylaw amendment Potential resource impacts could include bylaw amendment work, and, need for additional monitoring/enforcement by CFD, CCS, CPS and Parks operational staff
Calgary Recreation	<ul style="list-style-type: none"> Consumer fireworks are not appropriate for use in Calgary Recreation spaces as fireworks use could conflict with other users of the space (e.g. teams, families) During the summer months, Recreation spaces are already in high demand from community groups, meaning they would be unavailable for use by those wishing to set off fireworks with enough space for safe use High risk to adjacent roads and properties from improper use
Calgary Community Standards	<p>Bylaw Services</p> <ul style="list-style-type: none"> No concerns with enforcement of a potential bylaw allowing consumer fireworks use if there was a permitting process in place through CFD Open4Business team Have not heard from the business community that there is a desire to sell fireworks



CALGARY CATHOLIC SCHOOL DISTRICT

November 6, 2019

To Whom it May Concern,

The Calgary Catholic School District does not support pyrotechnics at our school sites with limited exceptions for special effects within our drama program of studies.

We support the proposal to restrict the use of fireworks within the City and further support a ban on the discharge of fireworks on school property.

Sincerely,

Gerry Boiteau

Gerry Boiteau
Manager, Business Services
Catholic School Centre
1000 5th Ave SW
Calgary, AB T2P 4T9
Direct line: (403) 500-2743

Calgary Board of Education (CBE) Information

Under Administrative Regulation AR-3052, clause 20 a), effective 4 April 2016, the Calgary Board of Education prohibits the use of pyrotechnics on CBE sites.

The full text of the Administrative Regulation can be found here:

<https://www.cbe.ab.ca/GovernancePolicies/AR3052.pdf>

As well, the following statement was received from the Calgary Board of Education when contacted about the potential use of consumer fireworks on CBE sites:

"While there are numerous webpages at the CBE that have a list of the prohibited activities, for the purposes of supporting documentation that you can provide to City Council, I would direct you to our Administrative Regulation AR-3052 found at the link below. Specifically, section 20(a), refers to pyrotechnic use on our properties.

I trust this, in addition to this email, will suffice as evidence of the CBE's position on the prohibited use of fireworks/pyrotechnics.

<https://www.cbe.ab.ca/GovernancePolicies/AR3052.pdf>".

REFERRED REPORT

Amendment to Fire Operations and Fees Bylaw 55M2014 – Referral and Update, CPS2019-1435

Memo:

At the 21 October 2019 Combined Meeting of Council, Report CPS2019-11311– regarding an Amendment to the Fire Operations and Fees Bylaw 55M2014 to prohibit the sale and use of consumer fireworks in Calgary – was referred to Administration to engage with stakeholders to consider options other than a ban on consumer fireworks and report back to the 13 November 2019 meeting of the SPC on Community and Protective Services.

In response, please find attached, the following additional materials for Council's information:

- Attachment 1 – Amendment to Fire Operations and Fees Bylaw 55M2014 Cover Report (21 October 2019)
- Attachment 2 – Proposed Bylaw
- Attachment 3 – Municipal Bylaws for Fireworks – Alberta Summary
- Attachment 4 – Canadian National Fireworks Association Recommendations to Calgary Fire Department
- Attachment 5 – Internal Engagement Summary: Consumer Fireworks in the City of Calgary
- Attachment 6 – Correspondence from Calgary School Boards

Result of Council Direction

The Calgary Fire Department (CFD) expanded their existing engagement with key internal stakeholders and the Canadian National Fireworks Association (CNFA) to understand how fireworks use and sale could work in the Calgary context, if not fully prohibited. The findings from the engagements before and since the Combined Meeting of Council on 21 October 2019 can be found in the attachments.

Administration's Recommendation

After consulting with stakeholders, Administration's recommendation remains the same.

CFD invited the CNFA to discuss the use of consumer fireworks in Calgary and has reviewed the CNFA's information and recommendation, as outlined in Attachment 4. CFD had a productive discussion with representatives from the CNFA on 5 November 2019, and recognizes that unregulated sales of fireworks currently exist in Alberta and that Calgarians are buying fireworks from online vendors or those not subject to Provincial or City regulations, and that this practice is unlikely to stop, whether or not a ban is put in place in Calgary. CFD also appreciates the position of the CNFA which is encouraging safe use of consumer fireworks and education for those who choose to use them.

Still, Administration holds the position that a bylaw allowing more use of fireworks than is currently permitted in Alberta will not make those who currently use consumer fireworks safer or more likely to abide legislation governing fireworks use. The CFD also has not seen evidence that those fireworks currently being purchased by Calgarians are being used in a manner that puts the general public or property in Calgary at risk. Adopting a bylaw to allow use would legitimize the sale and use of fireworks, but would also increase use in the Calgary setting, therefore increasing risk in our city.

The CFD does not oppose the use of consumer fireworks in a safe and regulated manner in rural settings where there is enough space for spectators, buildings, and other obstacles to be a safe distance away from any combustible or flammable materials, and recognizes that in several rural areas, there already exists a permitting process for use and sale of consumer fireworks.

After consultation, CFD still remains concerned about the risk to people, property, and environment posed by consumer fireworks use within Calgary's urban landscape. Calgary Parks and Calgary Recreation are responsible for stewardship of some of the only public spaces in Calgary which could conceivably have enough space to set off consumer fireworks safely. Both these business units were not in favour of the use of consumer fireworks in these spaces, though there is already a permitting process in place for setting off fireworks in Calgary parks, which will remain in place. Calgary Community Standards was not concerned about the need to enforce a bylaw as long as there was a permit process in place, and the OPEN4Business team stated that they had not heard from any businesses who were looking for the opportunity to sell consumer fireworks in Calgary – however, it should be noted that there was not sufficient time for a full engagement with the business community.

Additionally, both school boards in Calgary do not support pyrotechnics use on their properties, which would also conceivably have enough space for safe use of consumer fireworks, as seen in Attachment 6.

It is also important to note that comparable jurisdictions within Alberta have similar restrictions in place as are being proposed by Administration, and that the City Council of Vancouver recently approved a ban on use of consumer fireworks by 2021 after a 12-year pilot project allowing their use and sale in Vancouver.

With these findings in mind, the Calgary Fire Department continues to recommend prohibiting the use and sale of consumer fireworks in Calgary.