

Ottawa's Leading Edge Bylaws: **A Case Study**

Ottawa, the nation's capital, is a city of almost 900,000 residents and is located along the Quebec-Ontario border. Ottawa has long been a national smoke-free leader. In 2001 it was one of the first municipalities in Canada to prohibit smoking in enclosed workplaces and public places, in 2006 smoking was prohibited within 9 metres of City facilities, and a smoke-free transit system was enacted in 2007. Ottawa is now once again at the forefront, enacting innovative bylaws to create a variety of smoke-free outdoor spaces.

In early 2012, changes were made to several of Ottawa's bylaws, which together prohibit smoking on all municipal property (including city parks, playgrounds, sports and recreational fields and facilities, beaches, trails, and two large farmers' markets) and during the events held on this property, and on all bar and restaurant patios (including cafés and other establishments that encroach on city sidewalks and boulevards). The Non-Smokers' Rights Association has identified a list of leading edge elements—provisions that set a bylaw apart from most others in Canada.¹ Ottawa's bylaws have six leading edge elements:

- Smoking prohibited on all municipal property;
- Smoking prohibited on beaches;
- Smoking prohibited on trails;
- Smoking prohibited at outdoor events on municipal property (farmers' markets, concerts, etc.);
- Bylaw explicitly addresses waterpipe smoking (outdoors on municipal property); and
- Bylaw explicitly addresses other weeds or substances (outdoor waterpipe smoking on municipal property).

The road to Ottawa's 2012 smoke-free bylaws

How did the City of Ottawa accomplish this?

Ottawa Public Health (OPH) worked to engage community partners, residents, schools and sports teams around the issue of smoke-free spaces. Community partners and individuals who had made significant contributions to tobacco control were awarded Smoke-Free Champion Awards. An awareness campaign on the dangers of second-hand smoke in outdoor spaces was conducted through paid, earned media and social media. OPH developed a program for community associations to voluntarily designate parks smoke-free by requesting signage. In the space of a few months, 420 parks had signs posted that said "Please no smoking, children at play". Meetings were held with partners, stakeholder and community leaders to gauge support for smoke-free spaces and to learn about challenges they might have.

A number of its keys to success:

- Expanding smoke-free outdoor spaces was a priority for OPH;

- The Ottawa Council on Smoking or Health (OCSH), a community-based coalition, also made this issue a high priority;
- A Board of Health had just been appointed and smoking in outdoor spaces was the first major issue it wanted to address;
- The Chair of the Board of Health was on City Council for the 2001 bylaw discussion and was still a strong proponent of smoke-free spaces;
- Another influential City Councillor championed the bylaw changes; and
- Public opinion polling showed a growing appetite for stricter regulations.

In August 2010, OCSH began to implement an 18-month advocacy campaign—with just a handful of dedicated and skilled volunteers and very little money. OCSH's activities included: building a collaborative relationship with OPH and other health organizations; deciding on its "wish list" of smoke-free spaces; launching a postcard campaign for the public to express concern about outdoor smoking (over 2600 signatures were obtained at several community events); conducting online polling (not scientific, but indicative of strong support); sending six fact sheets and other information products to Councillors and Board of Health members each month before the vote; commissioning Dr. Ryan Kennedy to study outdoor air quality on patios where smoking was allowed; meeting with the Medical Officer of Health, key Councillors and the Board of Health Chair; and making deputations before the Board of Health and the Community and Protective Services Committee. OCSH's extensive media relations were also a key element of success, and included news conferences, news releases and letters to the editor, and sending three compendia of positive news coverage to Councillors and Board of Health members during the period leading up to the bylaw vote.

The goals of OPH and OCSH resonated with smokers and non-smokers alike and included:

- Protecting youth and young adults from the negative role modeling of smoking and promoting healthier lifestyles;
- Protecting hospitality workers and the public from secondhand smoke;
- Encouraging smokers to quit and reducing smoking cues so to help prevent quitters from relapsing; and
- Protecting the environment.

Ottawa Public Health used the results of an environmental scan, a literature review and input from other municipalities to inform their recommendations to Councillors. Several public consultations were held across the City, as well as with business owners in the hospitality industry, festival organizers, stakeholders in the broader health community and others affected by the potential changes. This meticulous preparation helped create the political will needed to expand the smoke-free regulations. Through a joint working group, OPH worked closely with other City departments to ensure a seamless passage of the regulatory changes and implementation of the strategy.

Since the bylaws were passed...

As the seat of our federal government, Ottawa has a great deal of federal land on which festivals and other events take place. This National Capital Commission (NCC) land is not regulated by City bylaws. Through outreach by OPH and OCSH, the NCC has voluntarily made its events smoke-free, and is using Ottawa's signage to reduce confusion among the public. Making events such as Bluesfest (attendance of over 300,000 in 2013) and Winterlude (about 600,000 visitors annually) smoke-free has protected more citizens, tourists and volunteers than Ottawa ever could have achieved without the NCC's support.



An Ottawa smoke-free sign at the entrance to an NCC park where Winterlude's ice sculptures were on display.

From 2 July 2012 – 31 December 2013 there were 435 complaints, with approximately 300 warnings issued and just 51 charges laid. As is the case in other municipalities with smoke-free outdoor spaces, compliance with the bylaws is high—citizens feel empowered to speak up when there is a law they can refer to.

Ongoing communications about the bylaw changes have also been key to their success. Throughout the education phase, the three-month warning phase and the charging phase that started on 2 July 2012, OPH has kept the topic of smoke-free outdoor spaces in the public eye through advertising:

- In “Zoom” ads on digital screens in restaurants and bars, as well as in the bathrooms;
- On bike racks downtown and in the ByWard Market; and
- At the airport.

There was also extensive promotion through social media, earned media, news releases, 2500 signs, fact sheets, flyers, and other information pieces on the City of Ottawa and OCSH websites. OPH held ongoing meetings and issued other communications with stakeholders, and completed 600 patio visits. Over 2600 City staff members have also been trained regarding the bylaws.

To ensure that Ottawa's tourists are informed of the regulations, 3,000 “Information Buck” slips have been delivered to hotels, tourist hot spots and tourist information booths, the Ottawa Airport (including car rental companies located there), and all city facilities.

And the promotion continues. On 8 April 2014, an event hosted by the Mayor and the Chair of the Board of Health will be held to celebrate the second anniversary of the passage of the bylaw changes and implementation of *“Let's Clear the Air: A Renewed Strategy for a Smoke-Free Ottawa.”* The event is designed to keep the smoke-free issue in the public eye and to showcase Ottawa as the exemplary leader it is in the field of smoke-free regulations and programming.

For more information on Ottawa's specific bylaws, see the Non-Smokers' Rights Association's online database of smoke-free laws.²

¹ Non-Smokers' Rights Association. "Leading Edge" Elements of Laws and Bylaws. February 2014.

http://www.nsra-adnf.ca/cms/file/files/Leading_Edge_Elements-FINAL.pdf.

² Non-Smokers' Rights Association. Smoke-Free Laws Database. 27 March 2014. <http://www.nsra-adnf.ca/cms/smoke-free-laws-database.html>.