

# *A Case Study: Huron County's Leading Edge Bylaw*

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The County of Huron, located along the shores of Lake Huron and known as Ontario's West Coast, is comprised of nine municipalities with a total population of 60,000. With kilometres of sandy beaches and spectacular sunsets that have been rated as world class, tourism is an important component of the County's economic well-being.

Like many other Ontario jurisdictions, smoking has been prohibited in enclosed workplaces and public places since before 2006 when the provincial *Smoke-Free Ontario Act* came into force. However, unlike any other municipality in the province, the County of Huron has a bylaw (#21, 2003) that prohibits smoking in hotels, motels and other types of temporary guest accommodations. This in itself is significant, but the fact that it happened in 2003 and that a decade later it remains a leading edge bylaw is extraordinary.

## **Smoke-free hotels, motels and temporary guest accommodations**

Section 1.13 of Huron County's bylaw defines a workplace, in part, as "any indoor area or part thereof in which one or more employees work, including any other indoor area utilized by employees..." Section 2.2 clarifies that workplaces that are also private residences are not included, but goes on to state that "... for the purposes of this bylaw private residence does not include rooms used for temporary accommodation such as hotel/motel rooms, bed and breakfast rooms and similar facilities."<sup>1</sup>

There is no safe level of exposure to second-hand smoke (SHS). The toxic chemicals in SHS do not simply dissipate into thin air after someone has been smoking. Small particles fall out of the air and land on surfaces, are absorbed by materials like bedding, drapes, carpets and towels, then later off-gas back into the air. Harmful chemicals can remain in the indoor environment for weeks, months, and even years after smoking has taken place. Bed sheets and towels that are used interchangeably between smoking and non-smoking rooms are a good example of this: despite frequent washings, they can still smell of SHS. A 100% smoke-free hotel eliminates SHS exposure for maids and staff in smoking rooms, as well as eliminates SHS infiltration between guest rooms and the complaints that go with it.

There are approximately 100 establishments within the County that are affected by the bylaw, which came into force in September 2004. In 2007 the public health unit for Huron

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<sup>1</sup> County of Huron Bylaw No. 21, 2003, *Being a Bylaw to Regulate Smoking in Public Places and Workplaces in Huron County and to Repeal Bylaw No. 9, 2003*. [www.huroncounty.ca/bylaws/downloads/By-law%2021-2003.pdf?S\\_PROVINCESTATEID=9&S\\_LEGISLATIONDOMAINID=&S\\_REGIONCITYID=425&SID=1286](http://www.huroncounty.ca/bylaws/downloads/By-law%2021-2003.pdf?S_PROVINCESTATEID=9&S_LEGISLATIONDOMAINID=&S_REGIONCITYID=425&SID=1286)

County reported that when hotels were mentioned for possible inclusion in the bylaw, hoteliers were included in the community consultation phase. Reception to the idea was reported as generally favourable, as long as the rules were the same for all temporary guest accommodations. Feedback received from hoteliers was used to help craft the bylaw as well as educational materials for bylaw implementation. Information packages sent out to all hoteliers prior to the implementation date included such things as fact sheets, posters, smoke-free stickers and decals.

Once the bylaw passed, establishments had to clean their facilities to remove all traces of smoking prior to accepting new guests. Interestingly, the health unit also reported that when the *Smoke-free Ontario Act* came into force on May 31, 2006, some of the municipality's hoteliers were concerned about having to go back to offering smoking rooms, and were relieved to hear that the bylaw would remain in effect.

In the early years following implementation, a tobacco enforcement officer phoned randomly-selected hotels and motels to make enquiries about the availability of smoking rooms. He reported very high compliance with the bylaw, even among motels that catered to construction companies. The health unit has received very few complaints from the general public about smoking in guest accommodations, and to this day it is still considered a self-enforcing bylaw. One factor that has helped in this respect is the \$250 cleaning fee that many of the County's hotels and motels levy on guests if they disregard the bylaw. This fee is completely independent of the bylaw fine and serves as an additional deterrent. Given that smoking increases costs for cleaning, painting and maintenance, and increases fire risk, it makes sense that hoteliers are motivated to make sure their guests abide by the bylaw.

Since 2006 the smoke-free trend has expanded, and other hotels and hotel chains in Ontario and Canada have voluntarily declared themselves 100% smoke-free, the issue being mostly one of supply and demand. In a recent hotel guest satisfaction survey, 87% of respondents indicated they prefer a 100% smoke-free environment.<sup>2</sup> Over the years, businesses have been quietly reducing the number of smoking guest rooms available in response to decreasing customer demand. When Marriott Hotels and Resorts went 100% smoke-free in October 2006, it reported that 90% of its guest rooms were already smoke-free prior to the transition. Nonetheless, smoking continues to exist in many types of guest accommodations outside Huron County, putting employees in unhealthy work environments.

Congratulations to Huron County—a decade later its bylaw remains a leading edge example for other municipalities to follow.

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<sup>2</sup> J.D. Power and Associates. Press Release July 2010. *As Industry Begins to Rebound from Downturn, Satisfaction with Hotels Increases Notably*. <http://businesscenter.idpower.com/news/pressrelease.aspx?ID=2010137>