



Hamilton

City of Hamilton  
Public Health Services  
Healthy Environments Division | Tobacco Control Program  
110 King St. West  
Hamilton, ON L8P 4S6

## RE; Cannabis Statute Law Amendment Act / Smoke-Free Ontario Act

### Places of Use

The Smoke-Free Ontario Act, 2017 prohibits smoking of cannabis and tobacco, as well as use of electronic cigarettes (containing any substance) in the following locations:

- **Indoor common areas** in condos, apartment buildings and university/college residences;
- Enclosed public places and enclosed work places;
- **Non-designated** guest rooms in hotels, motels and inns;
- At school, on school grounds, and all public areas within 20m of these grounds;
- On children's playgrounds and public areas within 20m of playgrounds;
- In child care centres, or where an early years program is provided;
- In places where home child care is provided;
- Within 9m from the entrance or exit of hospitals (public/private), psychiatric facilities, long-term care homes, independent health facilities;
- On outdoor grounds of hospitals (public/private) and psychiatric facilities;
- In **non-controlled areas** in long-term care homes, certain retirement homes, provincially-funded supportive housing, designated psychiatric or veterans' facilities, and residential hospices;
- Publicly-owned sports fields, nearby spectator areas and public areas within 20m of these areas;
- In a vehicle or boat that is being driven or is at risk of being put into motion;
- In restaurants and on bar patios and public areas within 9m of a patio;
- On outdoor grounds of specified Ontario government office buildings;
- In reserved seating areas at outdoor sports and entertainment locations;
- On grounds of community recreational facilities, and public areas within 20m of those grounds; and,
- In sheltered outdoor areas with a roof and more than two walls which the public or employees frequent, or are invited to (e.g. a bus shelter).

### Limited exemptions for smoking tobacco and cannabis and vaping include:

- Controlled areas in long-term care homes, certain retirement homes, provincially-funded supportive housing, designated psychiatric facilities and designated veterans' facilities;
- Designated guest rooms in hotels, motels and inns;
- Scientific research and testing facilities;
- Controlled areas in residential hospices (note: exemption does not include tobacco smoking); and,
- Stage productions (note: exemption does not include tobacco or cannabis smoking).

## **Public Health Responsibilities and Administration**

Changes to the SFOA incur the following responsibilities for Public Health Services:

- Enforcement of legislative changes by Healthy and Safe Communities Tobacco Enforcement Officers;
- Registration and approval for retailers who wish to be designated as Tobacconists or Specialty Vape Shops;
- Education of stakeholders and public to ensure awareness and compliance with new legislation; and,
- Distribution of required signage to stakeholders.

The Smoke-Free Ontario Act can be accessed here:

<https://www.ontario.ca/laws/statute/17s26> . Regulation 268-18 can be accessed here:

<https://www.ontario.ca/laws/regulation/180268> .