

Smoke-Free Tips

The steps you must take to prevent someone from smoking in or near your premises are not specified in the Act because every situation is different. However, if you do receive a ticket for violation of the smoke-free provisions, the Act says you can rely upon “reasonable care and diligence” as a defence. It is up to a court to determine whether your efforts meet these standards.

Here are some tips to help you make your premises smoke-free:

- ▶ Post “No Smoking” signs and decals in highly visible locations, (print your own or download a template from www.health.gov.bc.ca/tobacco);
- ▶ Use items such as lapel buttons, coasters, placemats or table signs to constantly reinforce the no-smoking message;
- ▶ Remove all ashtrays from indoor public and work places, as well as those within outdoor buffers zones where smoking is not allowed;
- ▶ Place ashtrays only in locations where people can smoke;
- ▶ Review the skills taught in Serving It Right™, www.servingitright.com for information on dealing with difficult patrons (free download). Section 4 of Serving It Right™ provides information on implementing house policy;
- ▶ Train all staff to anticipate situations where patrons will try to smoke;
- ▶ Train staff how to deal with someone who attempts to smoke; and
- ▶ Remind patrons that both you and your patrons could be fined for breaking the law.

You are not required to provide outdoor smoking areas.

Enforcing the Law

Enforcement officers, employed by the provincial health authorities, are responsible for the day-to-day enforcement of the provincial *Tobacco Control Act* and Regulation.

Failure to comply with the smoke-free provisions may result in a fine for both the smoker and the owner/operator.

Penalties

As a manager, owner or lessee, you could incur a fine if someone is found to be smoking on your premises. The person smoking could also receive a fine.

For further information, contact your local health authority:

Vancouver Island Health Authority
250 360-1450

Vancouver Coastal Health Authority
604 675-3800

Fraser Health Authority
604 476-7000

Interior Health Authority
250 851-7300

Northern Health Authority
1 877 617-6777

Or visit the Tobacco Control website at:
www.health.gov.bc.ca/tobacco

Information in this brochure is intended to provide general information on B.C.'s Tobacco Control Act and Regulation. It should not be used as a substitute for legal or other expert advice.



Promoting Better Health
for All British Columbians

Making Your Restaurant, Pub and Casino Smoke-Free



Ministry of
Health

On March 31, 2008, new tobacco laws come into effect in B.C.

These changes protect the right of all British Columbians to breathe smoke-free air, and will help reduce the risk of diseases related to smoking and exposure to second-hand smoke.

If you own, manage or work in a bar, restaurant or casino in B.C., here's some information to help you ensure a smoke-free facility.

Some important changes to protect health

On March 31, 2008, all indoor work and public places must be smoke-free.

Designated smoking rooms will no longer be allowed in bars, restaurants, casinos and bingo halls.

Smoking will not be allowed within three metres of most public and workplace doorways, open windows or air intakes.

Buffer Zone Requirements

Smoking is not permitted within three metres of most public and workplace doorways, windows and air intakes. This buffer zone reduces the amount of second-hand smoke that drifts indoors.

You are not responsible for preventing someone from smoking on public property outside your property, such as the sidewalks or roadway, unless that person is under your control - for example, an employee or a patron. If they are under your control, you may be held responsible for ensuring they do not smoke within the buffer zone.

Hospitality patios where food and beverages are served are not required to have a buffer zone, provided that:

- ▶ The patio is not fully or substantially enclosed;
- ▶ The doors are kept closed except to enter or exit the patio;
- ▶ Windows are closed at all times when the patio is in use; and
- ▶ Air intakes are not situated where they draw tobacco smoke into the building.

Some local governments have introduced stricter requirements. Check with your local government to find out what the requirements are in your area. You will find their phone number in the blue pages of your local phone directory.



It is Your Responsibility

If you own or operate a restaurant, pub or casino in B.C. it is your responsibility to understand the new law and comply with it.

As a manager, owner, or lessee, you have a legal responsibility to prevent people from smoking in your establishment and on your property. You may not be held responsible if you can demonstrate that you have taken reasonable steps to prevent someone from smoking in areas under your control.

Outdoor Patios

Smoking on outdoor patios is permitted, provided the space is not enclosed or substantially enclosed.

Places are considered fully or substantially enclosed if:

1. they have a roof or other type of covering, AND
2. more than half of the "nominal wall space" (2.7 metres) is made of a material or product that prevents air from flowing easily through it.

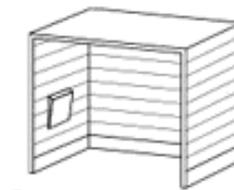


Fig 1.
Example of substantially enclosed premises ✗

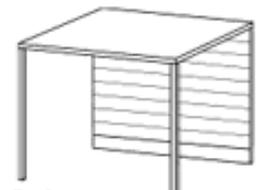


Fig 2.
Example of non-substantially enclosed premises ✓

If you require further guidance on whether your premises are fully or substantially enclosed, please contact your local health authority. Local governments may have more restrictive measures. Check with your local government.