

<b>CityHousing Hamilton Corporation</b>			
CATEGORY		Administration	DATE APPROVED:
SECTION		Governance	UPDATED ON:
POLICY		DRAFT SMOKE-FREE LIVING POLICY	EXTERNAL POLICY
<b>1.0 POLICY STATEMENT AND PURPOSE</b>			
<p>There is no safe level of second-hand smoke. As well, there are recent legislative changes at the federal and provincial government levels, in particular the legalization of cannabis use by individuals and the prohibition of smoking in public places and work places that affect current environment.</p> <p>CityHousing Hamilton (CHH) and Hamilton Public Health are committed to promoting a healthy community and providing smoke-free environments for residents, workers and visitors in any new acquisitions, building and retrofitted, multi-unit buildings owned by CHH.</p> <p>This policy lays out restrictions on smoking lit tobacco, cannabis or shisha to be introduced into new leases for newly acquired, built and retrofitted multi-unit buildings owned by CHH.</p>			
<b>2.0 SCOPE</b>			
<p>The policy will apply to all workers, visitors and new residents in all new and/or retrofitted CityHousing Hamilton buildings by requirements in their leases including Occupants and Visitors invited by the residents. This policy also applies to all CHH staff and to any Business Invitees at any designated smoke free building, which is limited to newly acquired, built and retrofitted multi-unit buildings owned by CHH.</p> <p>Exemptions</p> <ol style="list-style-type: none"> <li>1. <b>Medical Use of Cannabis:</b> This policy does not prohibit the medical use of cannabis by a resident who:       <ol style="list-style-type: none"> <li>a. Maintains a valid Authorization to Possess Marijuana from Health Canada and provides such authorization to CityHousing Hamilton; and</li> <li>b. Provides medical documentation (e.g. physician note) stating that the resident must smoke cannabis and is medically advised against leaving their unit to smoke elsewhere or cannot use alternative forms of cannabis.</li> </ol> </li> <li>2. <b>Traditional Use of Tobacco by Indigenous Peoples:</b> This policy does not prohibit and Indigenous person from smoking tobacco in the residential unit if the activity is carried out for traditional or spiritual purposes. This policy does not prohibit a non-indigenous person from smoking tobacco, if the activity is carried out with an Indigenous person and is for traditional or spiritual purposes.</li> </ol>			

<p><b>3.0 POLICY</b></p>
<p>In accordance with CityHousing Hamilton’s commitment to providing smoke-free living for residents, workers and visitors, it shall be a requirement under the lease of each unit and for all persons who work on or are invited onto the leased premises that smoking is prohibited in the leased premises of all designated no-smoking, multi-unit housing buildings owned by CityHousing Hamilton.</p> <p>Designated no-smoking multi-unit housing buildings include all new and retrofitted multi-unit buildings owned by CHH.</p>
<p><b>4.0 PROCEDURES</b></p>
<p>This smoke-free living policy will be implemented on the date of legalization of non-medical cannabis (expected July 1, 2018). CHH’s complaint procedure will be followed.</p>
<p><b>5.0 LEGAL REQUIREMENTS</b></p>
<ul style="list-style-type: none"> <li>• Ontario Human Rights Code</li> <li>• <i>Accessibility for Ontarians with Disabilities Act, 2005</i></li> <li>• <i>Residential Tenancies Act, 2006</i></li> <li>• <i>The Cannabis Act</i></li> <li>• <i>Smoke-Free Ontario Act, 2017</i></li> </ul>
<p><b>6.0 RESPONSIBILITY</b></p>
<p>It is the responsibility of the</p> <ol style="list-style-type: none"> <li>1. Chief Executive Officer to ensure that all staff are trained on the policy.</li> <li>2. Manager, Partnership Development and Support Services to ensure that all residents are educated on the policy.</li> <li>3. Manager, Residential Tenancies to ensure smoke-free living policy requirements are highlighted at lease signing for new or retrofitted buildings with property managers enforcing policy.</li> </ol>
<p><b>6.1 RESPONSIBILITIES OF CHH PROPERTY MANAGEMENT</b></p>
<p>CHH property management staff shall</p> <ol style="list-style-type: none"> <li>a. Ensure new residents and business invitees are aware of and comply with this policy by implementing wording in unit leases and contracts for services and posting signs in prominent places on CityHousing Hamilton sites</li> <li>b. Receive reports on non-compliance with this policy from any person</li> <li>c. Ensure that this policy is consistently enforced using all steps available including eviction according to applicable legislation and other CityHousing Hamilton policies</li> <li>d. Address complaints of non-compliance using the Complaints Policy and Procedure in a timely manner.</li> </ol>
<p><b>6.2 RESPONSIBILITIES OF CHH RESIDENTS IN NEW OR RETROFITTED CHH BUILDINGS</b></p>
<ul style="list-style-type: none"> <li>• There shall be no smoking by any resident, occupant, visitor, CHH staff or business invitee within any designated no-smoking buildings. No-smoking buildings include newly acquired, built or retrofitted CHH buildings, effective date of policy approval.</li> <li>•</li> <li>• Residents in no-smoking buildings are responsible to ensure that their occupants and visitors are not smoking within any CHH designated no-smoking building.</li> </ul>

## 7.0 DEFINITIONS

**Business Invitees** include community organizations, contractors, vendors or other providers of goods and services to residents or CityHousing Hamilton.

**Cannabis** includes both lit non-medical and lit medical marijuana.

**Current residents** are defined as residents who signed a lease agreement with CityHousing Hamilton prior to the effective date of this policy and include their occupants and visitors.

**New residents** are defined as residents who signed a lease agreement with CityHousing Hamilton on or after the effective date of this policy. If a current resident transfers to a unit in a new or retrofitted, designated no-smoking building, the current resident must sign a new lease and comply with this Smoke-Free Living policy as a new tenant.

**Leased Premises** is defined as:

1. Inside residential unit
2. Balconies
3. Patios
4. Other areas specifically included in the lease of tenants

**Occupants** are persons who live in a unit with a resident, but are not leaseholders.

**Smoking** includes the smoking or holding of lit tobacco, lit herbal material (e.g. shisha) or lit cannabis.

**Residents** include both current residents who transfer to non-smoking buildings and consent to amend their leases to be in compliance with this policy and new residents.

**Visitors** are persons who are invited to leased residential unit by a resident, but who do not live there.

## 8.0 REFERENCES AND RELATED POLICIES

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## 9.0 ATTACHMENTS

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## 10.0 RATIONALE FOR CHANGE

Smoke-Free Ontario Act

Anticipated legalization of non-medicinal cannabis July 1<sup>st</sup>, 2018 under the Cannabis Act