

May 5, 2022

TO: All tenants residing in multi-unit dwellings (e.g. apartment buildings and condominiums) located within the geographical area served by Peterborough Public Health

RE: Smoke-Free Ontario Act restrictions for smoking and vaping within multi-unit dwellings

Peterborough Public Health (PPH) is responsible for both education and enforcement of the [Smoke-Free Ontario Act, 2017](#) (SFOA). Over the last several weeks, we have received an increasing number of complaints related to smoking and the use of e-cigarettes (i.e. vaping) for tobacco and cannabis products within multi-unit dwellings.

The SFOA prohibits smoking and vaping in the indoor common areas of condominiums, apartment buildings, and college and university residences. This includes elevators, stairwells, hallways, parking garages, laundry facilities, lobbies, exercise areas and party or entertainment rooms. In addition to the restrictions by provincial law, there may be additional restrictions on smoking and vaping through lease agreements and/or policies pertaining to the property. According to the SFOA, *smoking* refers to the smoking or holding of lighted tobacco or cannabis (medical or recreational) and *vaping* refers to the inhaling or exhaling vapour from an electronic cigarette or holding an activated electronic cigarette, whether or not the vapour contains nicotine.

In a multi-unit dwelling, you should be respectful of your neighbours. Smoking or vaping in common areas can put other residents at risk of exposure to second-hand smoke and vapour and can cause disturbances to the enjoyment of the shared areas. Additionally, there may be workers (e.g. support workers, home healthcare providers, and maintenance staff) who must enter these common areas for work purposes. These workers are awarded protection under the SFOA from exposure to second-hand smoke and vapour in any indoor common area as it would be considered an enclosed workplace.

Restrictions against smoking and vaping within the indoor common areas of multi-unit dwellings are enforced by PPH Tobacco Enforcement Officers, who will conduct inspections and respond to complaints related to smoking and vaping in prohibited areas. Any individual who violates the prohibition on smoking and vaping in the indoor common areas of a multi-unit dwelling may be charged and if convicted, may face a maximum fine of \$1,000 (for a first offence) or \$5,000 (for any further offence).

Thank you in advance for your cooperation and compliance. By working together, we can offer protection against the exposure to second-hand smoke and vapour, and help to ensure that common areas are enjoyed by everyone. For more information, visit our website at www.peterboroughpublichealth.ca and search "Tobacco Enforcement".

Sincerely,

PPH Inspection Services
Tobacco Enforcement