



# Smoke-Free Ontario Act

## How the Act Affects: Children's Playgrounds

### The Basics

The *Smoke-Free Ontario Act* prohibits smoking tobacco in enclosed workplaces, enclosed public places and other designated places in Ontario to protect workers and the public from second-hand smoke.

### Children's Playgrounds

**Starting January 1, 2015, smoking is no longer permitted on children's playgrounds or in public spaces within 20 metres of a playground ("smoke-free areas").**

A children's playground is:

- An area primarily used for children's recreation and equipped with children's play equipment, such as:
  - slides
  - swings
  - climbing apparatuses
  - splash pads
  - wading pools, or
  - sandboxes.
- An area that is open to the public at no cost or for a fee.

These restrictions include playgrounds at hotels, motels and inns. It does not apply to personal properties or apartment and condominium premises.

### Owner Responsibilities

It is the responsibility of the owner, operator or the person in charge of the place to ensure that smoking laws are followed.

They are required to:

- Give notice to the public that smoking is prohibited in the smoke-free area.
- Post "no smoking" signs at entrances and exits to the smoke-free area, in appropriate locations and in sufficient numbers, to ensure the public is aware that smoking is not permitted.

- Ensure that persons do not smoke in the smoke-free area.

Ensure that a person who refuses to comply with the prohibition on smoking does not remain in the smoke-free area.

## **Enforcement**

Local public health units will carry out inspections and respond to complaints regarding smoking on and around playgrounds.

## **Penalties**

An individual who breaks the law against smoking on and around playgrounds may be charged with an offence, and on conviction could be subject to a maximum fine of \$1,000 (for a first offence) or \$5,000 (for any subsequent offence).

An owner, operator or manager of a children's playground that fails to comply with their obligations under the Smoke Free Ontario Act may be charged, and if convicted, could be subject to the following maximum fines:

- For individuals: \$1,000 (for a first offence) or \$5,000 (for any further offence),
- For corporations: \$100,000 (for a first offence) or \$300,000 (for any further offence).

This fact sheet is intended as a quick reference only and should not be considered to be legal advice. For more information, please contact your local public health unit.

You may also obtain information by calling toll-free:

- **INFOline** 1-866-532-3161
- **TTY** 1-800-387-5559

Hours of operation: Monday to Friday, 8:30 a.m. - 5:00 p.m.

For specific information about how smoking laws apply to playgrounds, or on acquiring the appropriate "no smoking" signs, contact your local Public Health Unit.

For more information on the *Smoke-Free Ontario Act*, please visit the Ontario Ministry of Health and Long-Term Care website: [ontario.ca/smokefree](http://ontario.ca/smokefree)