



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