

Complete Policy Title:

Riverview Terrace- No Smoking Policy

Policy Number (if applicable): 1102.0

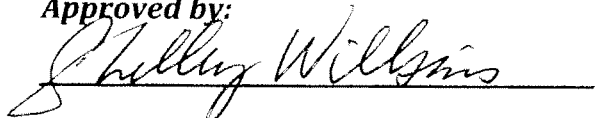
Date of Most Recent Approval:

- October 5th, 2011

Enquiries:

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Approved by:



Responsible Executive (or Office):

Shelley Wilkins, Director, Social Housing

DISCLAIMER: If there is a Discrepancy between this electronic policy and the written copy held by the policy owner, the written copy prevails.

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1 SUBJECT

Riverview Terrace – No Smoking Policy

2 PURPOSE

Due to the irritation and known health risks of exposure to second-hand smoke, increased risk of fire and increased maintenance, cleaning and redecorating costs, all forms of smoking shall be prohibited.

3 REVISION HISTORY

DATE	Number	Type
October 5 th , 2011	SH-1102.0	New Document

4 REFERENCES

- a) The Municipality of Chatham-Kent Social Housing Division (CKSH) Internal Procedures and Forms
 - i. CKSH Internal Procedure regarding No Smoking Policy at *Riverview Terrace*
 - ii. CKSH Log Sheet
 - iii. CKSH Complaint Procedures Policy, D.2.1
 - iv. CKSH Non-Compliance Letter regarding No-Smoking at *Riverview Terrace*
 - v. CKSH AHP Lease for *Riverview Terrace*
 - vi. CKSH Market Lease for *Riverview Terrace*
 - vii. CKSH March of Dimes RGI Lease for *Riverview Terrace*
 - viii. CKSH Office Space Lease with March of Dimes for *Riverview Terrace*

5 SCOPE

This policy applies to all persons, including but not limited to tenants, members of tenant's household, visitors, guests, business invitees, employees, and support service providers living at, working at or visiting *Riverview Terrace*.

6 POLICY

Effective October 5th, 2011, smoking is prohibited inside *Riverview Terrace*, including but not limited to private units, private use balconies, private use patios, enclosed common areas including the front lobby, hallways, elevators, corridors, stairwells, laundry rooms, and any interior/exterior common areas that are not designated as a smoking area. All tenants will sign leases with the no-smoking policy included. Tenants, members of tenant's household, family members, guests, business invitees, occupants, visitors, employees, and support service providers shall not smoke anywhere in *Riverview Terrace*, except for the designated smoking area noted as:

Outdoor designated smoking area located outside the west door of the building, but not within eighteen (18) feet of the doorway.

7 DEFINITIONS

7.1 Legal Framework

- Smoke Free Ontario Act S.O. 1994, Chapter 10*
- Municipality of Chatham-Kent, By-Law Number 265-2002*
- Municipality of Chatham-Kent, By-Law Number 212-2009*

It is contrary to the Smoke-Free Ontario Act to smoke or hold lit tobacco products in any common area or within the apartment including, but not limited to, enclosed common areas including the front lobby, hallways, elevators, corridors, stairwells, and laundry rooms.

7.2 Smoking

The term “smoking” means inhaling, exhaling, burning, or holding a lit tobacco product, including but not limited to a cigar, cigarette, or any similar tobacco product in any manner or in any form whose use generates smoke.

7.3 Business Invitee

The term “business invitee” shall include but is not limited to any contractor, agent, household worker, tradesperson, or other person hired to provide a service or product.

7.4 Employee

An “employee” is defined in this policy as a person who performs any work for or affiliated with CKSH or a person who receives any instruction or training in the activity, business, work, trade, occupation or profession of CKSH. All employees shall comply with this policy and all applicable no smoking legislation as it relates to their particular employment responsibilities.

7.5 Tenant

A “tenant” is defined in this policy as a person who pays rent in return for the right to occupy a rental unit at *Riverview Terrace* and includes the tenant’s heirs, assigns and personal representatives.

8 RESPONSIBILITIES

Riverview Terrace is a smoke-free building. CKSH is committed to the health and safety of our employees, tenants, business invitees and everyone visiting *Riverview Terrace*.

8.1 Accountability - CKSH

CKSH to Promote No-Smoking Policy

CKSH shall post no-smoking signs at entrances and exits, common areas, hallways, stairwells, in the elevator and in places adjoining the grounds of *Riverview Terrace*.

CKSH to Ensure Compliance with the No-Smoking Policy

CKSH will follow the CKSH Internal Procedures regarding No Smoking at *Riverview Terrace* along with CKSH Complaint Procedures Policy, D.2.1.

8.2 Accountability - Tenants

Tenant to Promote No-Smoking Policy and to alert CKSH of Violations

Each tenant shall inform their guests, invitees, visitors and business invitees of the no-smoking policy. Further, each tenant shall promptly give CKSH a written statement of any incident where tobacco smoke is migrating into the tenant’s unit from sources outside of the tenant’s apartment unit.

Other Tenants are Third-Party Beneficiaries of Tenant’s Agreement

Each tenant agrees that the other tenants at *Riverview Terrace* are the third-party beneficiaries of tenant’s no-smoking policy agreement with CKSH. The tenant acknowledges that the tenant’s obligations and commitments in regard to this policy are made to and may be enforced by the other tenants in the complex as well as to CKSH.

9 DISCLAIMER

CKSH specifically disclaims any implied or express warranties that the building, common areas or tenant's premises will have any higher or improved air quality standards than any other rental property. CKSH cannot and does not warranty or promise that the rental premises or common areas will be free from second-hand smoke. Tenant acknowledges that CKSH's ability to police, monitor, or enforce compliance with this policy is dependent in significant part on voluntary compliance by each tenant, tenant's guests and other occupants of the complex. Tenants with respiratory ailments, allergies, or any other physical, mental, emotional, or psychological conditions relating to smoke are put on notice that CKSH does not assume any higher duty of care to enforce this policy than any other landlord obligation under the lease.

10 CONTACT INFORMATION

Members of the public are advised that any questions related to this policy may be addressed to:

Director, Social Housing

Health & Family Services
Chatham-Kent Centre for Community Services
435 Grand Avenue West, P.O. Box 1296
Chatham, ON N7M 5R9
www.chatham-kent.ca

Bus: (519) 351-8573
Email: cksocialhousing@chatham-kent.ca