

# Policy and Procedures

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**Subject:** No-Smoking Policy

**Policy Number:** 2021-11

**Effective Date:** November 2, 2023

**Approved by:** NCHC Board of Directors

**Reviewed by:** NCHC General Manager

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## Purpose

To establish a No-Smoking Policy for all buildings and properties owned and operated by the Northumberland County Housing Corporation (“NCHC”). NCHC has implemented this policy for the following reasons:

1. NCHC is committed to promoting a healthy and safe living and working environment for all tenants and staff;
2. Reduce irritation and known health risks due to exposure to second-hand smoke;
3. Smoking causes an increased risk of fire; and
4. Smoking causes increased maintenance and cleaning costs.

This policy applies to all leases signed after June 1, 2013.

## Overview

The No-Smoking Policy came into effect on June 1, 2013 in all NCHC buildings and properties. All new tenants, as well as current tenants who signed a new lease on or after June 1, 2013, must follow the No-Smoking Policy as outlined in their lease agreements. When smoking outside, all tenants and their guests/visitors must be at least nine (9) metres away from any windows, entrances or exits to the building in accordance with provincial and municipal legislation.

## Definitions

“**Smoking**” refers to inhaling, exhaling, or carrying any cigar, cigarette, electronic cigarette, pipe, tobacco, cannabis or similar product, whose use generates smoke or vapour.

“**No-smoking Area**” means any NCHC buildings and any area within nine (9) metres of the windows, doors, and air intakes of all buildings and properties owned by NCHC.

## Policy

Tenants moving into a designated non-smoking unit will sign a lease indicating the premises are non-smoking. Tenants, occupants, visitors and guests shall not smoke anywhere in a designated non-smoking unit, including:

- a) inside the unit;
- b) the balcony and/or patio;
- c) the backyard, playground, flower gardens and sidewalks; and
- d) other areas specifically noted in the lease

All tenants, regardless of when their lease was signed, shall not smoke in any of the following locations (subject only to any designated smoking area(s)):

- a) all common areas of the building including any playground, gardens and sidewalks;
- b) all adjoining grounds of the building and all parts of the rental community; and
- c) all balconies and patios.

Tenants shall inform their guests, invitees and visitors of the No-Smoking Policy. Tenants are to promote the No-Smoking Policy and alert Northumberland County staff of any violations of the policy.

## Exemptions

The following are exemptions to the No-Smoking Policy:

- a) Existing Tenants who have signed lease agreements before June 1, 2013 will be ‘grandfathered’ (exempt) from the No-Smoking Policy if they continue to live in

the same unit. If they transfer to another unit, a new lease agreement must be signed and the No-Smoking Policy will apply, as it does to a new tenant. Existing tenants may choose to sign a No-Smoking Policy lease addendum.

- b) Exemptions with respect to the use of cannabis for medical purposes will be dealt with on a case-by-case basis. Tenants wishing to qualify for this exemption must demonstrate that they are in legal possession of cannabis for medical purposes obtained from a licensed producer by showing either the label on the package containing specific client information or a separate document containing the same information, which accompanied the shipment of cannabis. Northumberland County staff may also request medical documentation confirming the tenant's need to be accommodated for the use of medical cannabis in the unit. Growing cannabis on NCHC property is prohibited.

For clarity and notwithstanding any other provisions of the lease or this policy, NCHC confirms that responsible use of traditional medicines for spiritual smudging or ceremonies shall be exempted from the general smoking prohibitions.

## **Repealed Policy**

2013-17PM Non-Smoking Policy

## **Legislative Authority**

## **Cross Reference**