



The University of British Columbia
Board of Governors

Policy No.:

15

Approval Date:

July 1991

Last Revision:

November 2007

Responsible Executive:

Vice-President, Administration and Finance

Title:

Smoking and Smoking Product Promotion on Campus

Background & Purposes:

UBC promotes a healthy and safe university environment. Contrary to this principle tobacco use and smoking causes harm to the user and poses danger and a discomfort to others. UBC will control tobacco and smoking product promotion, sale and use while allowing for exercise of personal choice subject to the primacy of protection of others from risk of harm or discomfort.

This policy is intended to diminish the exposure to smoke and promote health and safety by: reducing or eliminating on campus sale and promotion of tobacco and Smoking Products; and reducing exposure of others to second hand and side stream smoke.

1. General

- 1.1 UBC promotes a healthy and safe university environment.
- 1.2 This policy is intended to diminish the exposure to smoke and promote health and safety.
- 1.3 To succeed in its goals, UBC will:
 - 1.3.1 prohibit promotion and commercial dealings with tobacco and Smoking Products;
 - 1.3.2 prohibit Smoking (which includes holding a lighted Smoking Product) in enclosed UBC spaces, including UBC Vehicles;
 - 1.3.3 designate permitted Smoking areas to encourage people who smoke to do so in locations that reduce the exposure to passers-by; and
 - 1.3.4 establish non-smoking areas in other places where second-hand and side-stream smoke is unavoidable or difficult to avoid without imposition upon non-smokers.

2. Scope

- 2.1 This policy applies to UBC and everyone in any UBC Vehicle, or in any place controlled and occupied by UBC. It is intended to clarify, support, and not limit legislation. Where this policy and legislation differ, the more stringent standards of the two shall apply.

- 2.2 This policy does not apply to any place for which UBC is the landlord unless included by the terms of the lease or specified in the procedures.
- 2.3 A person or organization may apply for an authorization to use Smoking Products, where permitted by law, in connection with culturally significant activities. Such authorization may set out any terms and conditions, breach of which shall void the authorization.

3. No Promotion or Sale of Tobacco or Smoking Products

- 3.1 No person may:
 - 3.1.1 advertise or promote for commercial purposes the use of tobacco or Smoking Products; or
 - 3.1.2 deal in, sell, offer for sale or distribute tobacco or Smoking Products;in any place within the scope and to which this policy applies.

4. Smoke-Free and Smoking Areas

- 4.1 The majority of people places at UBC must be smoke-free. Smoking (which includes holding a lighted Smoking Product) is prohibited:
 - 4.1.1 in any UBC controlled and occupied building, structure, hazardous materials storage location, or other UBC controlled and occupied place that is fully or substantially enclosed, or within a distance prescribed in the procedures from any prescribed place;
 - 4.1.2 in any bus shelter located on lands controlled and occupied by UBC or within a distance prescribed in the procedures from such a bus shelter;
 - 4.1.3 in any UBC Vehicle; and
 - 4.1.4 in any designated No Smoking Area.

5. Designated Smoking Areas

- 5.1 Designated Smoking Areas may be designated and identified by notice under the procedures to this policy.
- 5.2 Designated Smoking Areas must be located so as to reduce the exposure to passers-by and that meet or exceed no-smoking buffer zones established by applicable legislation.

6. Compliance and Enforcement

- 6.1 Reasonable care and diligence shall be exercised to prevent contravention of the laws of British Columbia and Canada related to this policy, as well as this policy itself.
- 6.2 The Responsible Executive shall specify the party or parties responsible for the day-to-day implementation and enforcement of this policy in respect of:
 - 6.2.1 sale or promotion of tobacco or Smoking Products; and
 - 6.2.2 Smoking.

7. Definitions

- 7.1 **“Designated Smoking Areas”** means the areas designated under this policy (including any procedures) and within which Smoking is permitted.
- 7.2 **“No Smoking Area”** means any area designated under this policy (including any procedures) as an area in which Smoking is prohibited.
- 7.3 **“Responsible Executive”** means:
- 7.3.1 the individual(s) specified by the President, from time to time, to be responsible for this policy; and
 - 7.3.2 any person delegated by the person in 7.3.1 above to fulfill his/her role except to the extent that the power to delegate is specifically excluded in this policy or in the appointment by the President.
- 7.4 **“Smoking Products”** means:
- 7.4.1 tobacco of any kind, including so called “smokeless tobacco”;
 - 7.4.2 tobacco and other plant products, or blends commonly used, intended, or designed for smoking;
 - 7.4.3 consumer goods designed primarily for use by smokers;
 - 7.4.4 goods or wares used primarily to advertise or promote the use of any of the above (e.g. trinkets with cigarette brand logos); and
 - 7.4.5 such other goods and wares as may be designated in the procedures.
- 7.5 **“Smoking”** includes having in one’s possession lighted tobacco or other plant products, or blends commonly used, intended, or designed for smoking.
- 7.6 **“UBC Vehicle”** means a vehicle that is owned, leased or rented by UBC.
- 7.7 **“UBC”** means The University of British Columbia.
- 7.8 **“UBC Security Service”** means the applicable administrative unit providing security or security oversight on a campus, or for UBC building, lands or areas.

PROCEDURES

Approved: July 1991

Revised: July 3, 2012

Pursuant to Policy #1: Administration of Policies, "Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors." Note: the most recent procedures may be reviewed at <http://universitycounsel.ubc.ca/policies/index/>.

1. Inclusion of Leases for which UBC is Landlord

- 1.1 This policy applies to residential units for which UBC, as landlord, has prohibited Smoking under the terms of the lease.
- 1.2 This policy applies to leases for which UBC is landlord of commercial premises entered into after December 1, 2007 unless approved by the Responsible Executive or the Board of Governors.

2. Permits for Exceptions

- 2.1 **Issuance**: Only the Director, Ceremonies and Events Office, or delegate, has the authority to issue permits to a person or organization seeking to use Smoking Products, where permitted by law, in connection with a culturally significant activity. Such authorization may set out the terms and conditions on which the authorization is granting, including, but not limited to publishing notices and requiring posting of signage warning of Smoking or the use of Smoking Products.
- 2.2 **Suspension or Revocation**: A permit may be:
 - 2.2.1 altered, suspended or revoked by the issuer or Responsible Executive at any time; or
 - 2.2.2 suspended by UBC Security Service on a good faith determination:
 - a) that the permit terms and conditions have been substantially breached;
 - b) that there is a safety, security, or health concern, and both the issuer and Responsible Executive is unavailable to act; or
 - c) invoking the UBC Security Service protection and service mandate if the safety, security, or health situation is urgent.

3. Designation of Smoking Areas

- 3.1 Designated Smoking Areas that do not involve construction of a shelter may only be created by Campus and Community Planning after consultation with the following as indicated:
 - 3.1.1 In respect of UBC Okanagan:
 - a) Associate Vice-President, Operations; and
 - b) Local Safety Committees; and

3.1.2 In respect of UBC Vancouver:

- a) Local Safety Committees; and
- b) Plant Operations.

3.2 Designated Smoking Areas involving construction of a shelter may only be created by Campus and Community Planning after consultation with the following as indicated:

3.2.1 In respect of UBC Okanagan:

- a) Associate Vice-President, Operations;
- b) Health Safety and Environment; and
- c) Local Safety Committees; and

3.2.2 In respect of UBC Vancouver:

- a) Health Safety and Environment;
- b) Local Safety Committees; and
- c) Plant Operations.

3.3 Designated Smoking Areas shall be indicated by posted signage or markings that, where feasible or necessary, aid identification or enforcement of the bounds or limits of Designated Smoking Areas.

3.4 Where feasible Designated Smoking Areas will provide shelter from the elements and located or constructed to reduce the fire hazard to surrounding areas.

3.5 Designated Smoking Areas may not be fully or substantially enclosed.

3.6 UBC Security Service may temporarily revoke a designation of an area as a Designated Smoking Area.

4. No Smoking Areas - Smoke-Free Distances and Areas

4.1 Smoking is permitted within Designated Smoking Areas but is otherwise prohibited out-of-doors within:

4.1.1 the UBC Okanagan campus; and in all other cases;

4.1.2 the following prescribed distances in respect of any UBC occupied building, structure, or other UBC occupied place that is fully or substantially enclosed:

- a) 8 metres from any doorway (including loading bay doors);
- b) 8 metres (notably including vertical) or 2 stories measured vertically, whichever is greater, from any window unless clearly being neither designed for nor capable of use for ventilation;
- c) 8 metres (notably including vertical) from any air intake;

- d) the posted limit, but if unposted then 8 meters, from any place that a reasonable person would believe contains hazardous materials or poses an explosive flammability risk; and
 - e) 8 metres in respect of any bus shelter located on lands controlled and occupied by UBC.
- 4.2 Unless expressly required under section 4.1 above no signage or marking is required to provide notice of a prohibition of Smoking and the prescribed smoke free status or distances applicable to any area or campus under that section.
- 4.3 No Smoking Areas may be designated by the Responsible Executive, or delegate, and identified by published notice, signage, or markings deemed by the Responsible Executive as reasonably necessary to identify the area as one in which Smoking is prohibited.
- 4.4 The act of creating or designating a No Smoking Area to be an area where Smoking is prohibited is not invalid merely because of vandalism or an irregularity in designation, signage or markings.

5. Designated Smoking Products

- 5.1 The following goods and wares are designated as Smoking Products:
- 5.1.1 lighters bearing no effective child safety or accidental lighting safety feature;
 - 5.1.2 goods or wares used to advertise or promote the use of any Smoking Product including those bearing brands, logos, or imagery evoking a promotional association, of a tobacco company or smokeable product excluding those:
 - a) incidental to but found in publications as permitted by law (e.g. foreign magazines); or
 - b) that promotes prevention or cessation of use of Smoking Products.

6. Compliance and Enforcement

- 6.1 In respect of sale or promotion of tobacco or Smoking Products:
- 6.1.1 Violations regarding sale or promotion of tobacco or Smoking Products the matter should be immediately reported to:
 - a) UBC Security Service; and
 - b) the Office of the University Counsel.
- 6.2 In respect of Smoking:
- 6.2.1 The day to day implementation and enforcement of this policy is the responsibility of:
 - a) the supervisor or individual directly in charge of a given area or activity within an area; and
 - b) UBC Security Service.

- 6.2.2 Every effort is to be taken by all students, faculty and staff to ensure compliance and resolve any problems created by non-compliance by:
- a) encouraging smokers to move to areas where Smoking is permitted and, if in the vicinity, to use a Designated Smoking Area; and
 - b) recognizing and respecting that prescribed areas where Smoking is not permitted may fully extend between buildings and, accordingly, walkways in those places unless included as or within Designated Smoking Area.
- 6.2.3 Violations regarding Smoking shall be shall be treated proportionate to health and safety risks or harms as well as the breach of social contract and disruption associated with the violations. Repeated or continued violation of this policy shall be treated as willful contempt or insubordination.
- 6.2.4 The following protocol is to be followed if non-compliance issues cannot be resolved using the approach set out in paragraphs under this section 6.2.4:
- a) Students: Formal complaints may be lodged by any party responsible for day to day implementation and enforcement.
 - b) Faculty and Staff: Non-compliance concerns should be lodged with either the individual's immediate supervisor or UBC Security Service.