

**Subject:** Potential Support for Proposed Niagara Region  
Waterpipe Smoking Bylaw

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0133 –  
Potential Support for Proposed Niagara Region Waterpipe Smoking  
By-Law, for information;**

**AND THAT Council of the Town of Pelham consents to the passage of  
the Waterpipe By-Law of the Regional Municipality of Niagara, being  
a by-law to regulate waterpipe smoking in the Region.**

**Background:**

Prior to the pandemic, the Region of Niagara was beginning to experience some health enforcement concerns pertaining to the operation of retail establishments that allow for waterpipe smoking. There were and are concerns relating to enforcement gaps in provincial legislation, and a local solution, employed in several parts of Ontario, has been to enact municipal bylaws to regulate the activity.

This issue was discussed amongst the area CAOs on multiple occasions. It was agreed that should there be majority support, having a consistent standard, which would be enforced by staff at Niagara Public Health is far preferable to a potential patch work system that would require enforcement by local area municipal staff, such as Pelham bylaw officers.

**Analysis:**

Town staff are unaware of any establishments in the Town of Pelham which permit the smoking of water pipes. Consequently, there is no specific or current need for this bylaw within the Town. Concerns have been raised in other parts of Niagara however, and the Region is prepared to enforce this bylaw throughout Niagara if it receives triple majority support. One line of thinking is that if only enacted in certain municipalities, this activity will move into local municipalities where it is not regulated. From that perspective, this is a pre-emptive move.

The specifics pertaining to the health and enforcement concerns are found in the Regional staff report, which is attached to this report as an appendix. Town staff have no particular expertise in this area and defer to Niagara Region Public Health for all specifics.

**Financial Considerations:**

There are no financial considerations associated with this report. If a triple majority is attained, future enforcement and associated costs will be a Regional service.

**Alternatives Reviewed:**

Not applicable

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

According to Niagara Public Health, this initiative will improve health outcomes for Regional residents, and as such this supports stronger communities.

**Consultation:**

None.

**Other Pertinent Reports/Attachments:**

CLK-C 2022-073 Waterpipe Smoking By-Law

**Prepared and Submitted by:**

David Cribbs, BA, MA, JD, MPA  
Chief Administrative Officer