

Report UPE01602 - Attachment 4

What We Heard Report

Indoor Shisha Consumption

June 2023

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Edmonton

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Project Overview

The indoor consumption of shisha in restaurants and lounges has appeared in front of Community and Public Services Committee (Committee) and City Council a number of times over the last few years. In July 2018, Committee directed Administration to bring forward amendments to the Public Places Bylaw to prohibit the indoor consumption of shisha, after a report on crime and disorder issues was presented by Edmonton Police Services (EPS). At that time, Administration engaged with affected stakeholders to determine an appropriate coming into force date, but did not complete gender-based analysis plus (GBA+). In July 2020, the Public Places Bylaw 14614 was amended to align the definitions of indoor smoking of tobacco and tobacco-like products, including shisha and hookah. This action led to prohibition of all indoor smoking in public places, including shisha consumption.

In January 2021, this topic returned to Committee, with some stakeholders from the Edmonton Hookah Cultural Society (EHCS) speaking to the impact it had on their communities. The issue was referred back to Administration to summarize the amendments required to create business licensing options if certain criteria were met.

In April 2021, Administration presented a report for information to Committee, which included information on potential business licence class options for shisha lounges and information on which bylaws would require amendments. At this meeting, stakeholders from EHCS presented engineering drawings for proposed smoking rooms. Additionally, information was provided by Alberta Health Services (AHS), other health and advocacy groups and heating, ventilation and air conditioning (HVAC) experts. The motion put forward was *"that Administration work with stakeholders to evaluate mitigation measures that will address the primary concerns of the City and Alberta Health Services, and prepare amendments to Business Licence Bylaw 13138 to establish a separate business licence category to permit smoking shisha/hookah indoors with additional conditions, and amendments to Public Places Bylaw 14614 to allow indoor shisha smoking"*. This motion did not pass at Committee.

In October 2022, a Councillor brought forward a motion at Committee to have *"Administration engage with stakeholders, including Alberta Health Services, to evaluate mitigation measures by the shisha industry and provide a report with the results."* Stakeholders from two health organizations spoke at the Committee meeting, as well as a Nanda and Company, the representative appearing on behalf of the Edmonton Hookah Cultural Society (EHCS). EHCS requested a fair process to be undertaken with regards to ensuring a proper GBA+ review, and a review of their proposed mitigation measures. This motion was requisitioned to Council without a recommendation from Committee.

In November 2022, City Council passed an amended motion that *"Administration engage with stakeholders, including Alberta Health Services, and provide a report with recommendations on potential bylaw amendments for indoor shisha consumption."* At this meeting, Administration spoke to the capacity for engagement and informed Council that this engagement would be limited in scope, not open to the general public and focused primarily on the proposed mitigations from impacted stakeholders. Administration committed to speaking with AHS and impacted community members that came forward

to better understand the cultural significance of smoking shisha, the health impacts of indoor shisha consumption and any other considerations.

The Role of the Public

The City's public engagement spectrum defines the level of influence public or stakeholders have in engagement processes. The role of the stakeholders during this engagement was at the **ADVISE** level on the City of Edmonton's Public Engagement Spectrum. The City invited a targeted group of stakeholders to participate in this engagement. The general public was not consulted due to the limited scope.

Visit edmonton.ca/PublicEngagement for more information on the City's public engagement process.



Who and How We Engaged

City of Edmonton Administration conducted focused stakeholder engagement in February and March 2023 with AHS, Action on Smoking and Health (ASH), Nanda & Company (representing EHCS), and several impacted community members.

Community Engagement

Nanda & Company provided Administration with contact information for two members of the impacted communities. These individuals - a young Muslim woman who previously attended shisha lounges and a former shisha lounge owner who is also a member of the Eritrean community - were interviewed. Additionally, a business owner who had inquired to the City about shisha consumption was also interviewed.

Administration extended the original deadline for stakeholder interviews, but received no further contacts to interview. Due to limitations of privacy legislation, Administration was unable to utilize business licensing records to identify and contact additional stakeholders.

Engagement with Public Health Organizations

Administration interviewed representatives from AHS and ASH to better understand the health impacts of secondhand smoke, the potential mitigations that should be in place if bylaw amendments to allow indoor shisha consumption were implemented, and the safety measures that should be in place for employees potentially working in these environments. Questions were also posed to AHS about the Tobacco, Smoking and Vaping Reduction Act and whether any changes to the legislation were forthcoming.

Engagement with Other Stakeholders

Administration attempted to engage with Alberta Occupational Health and Safety and the Community Services Advisory Board but did not hear back in time for circulation of its report to Committee.

GBA+ Spotlight

The City of Edmonton used a GBA+ process to identify potential inequities in our engagement practices. Administration was able to connect with two impacted community members, as described above. Administration also connected with a new business owner who had recently inquired about offering indoor shisha consumption.

What We Asked

Administration interviewed several representatives from AHS, including the Lead Medical Officer of Health for the Edmonton Zone, and the Medical Officer of Health for the Tobacco, Vaping and Cannabis Program and the Manager of Safe Built Environments. Each interview was conducted as a one-hour meeting to further understand the impacts of smoking shisha indoors on public health. The following questions were asked:

- Can you describe the impacts of secondhand smoke and, if possible, the differences between tobacco and non-tobacco secondhand smoke?
- If City Council makes the decision to reverse the ban on indoor shisha consumption, what requirements should be put in place to mitigate exposure to secondhand smoke to patrons not interested in smoking, employees or other parties?
- What age restrictions should exist in these restaurants or lounges?
- Has AHS been involved in helping with any mitigation efforts for other Alberta cities that have decided to allow shisha lounges?
- Have any Albertans contacted AHS with concerns or questions regarding these lounges in other parts of the province?
- Under the Alberta Tobacco, Smoking and Vaping Reduction Act there is an exemption for cigar lounges with specific requirements for operating. If the ban were to be reversed by City Council, would these be acceptable requirements to have in place for hookah lounges?
- Is there any possibility that any of these exemptions are going to be removed in the near future?
- Can you tell us if there is anything happening with respect to legalization of cannabis lounges, including any potential space / ventilation requirements for Cannabis lounges?

ASH was asked a similar set of questions, excluding questions that were specific to AHS and questions about the Act.

Stakeholders from the impacted communities were asked to describe their experiences with shisha. The following questions were asked:

- Could you please describe the significance of smoking shisha for you? Is there a cultural aspect for you? If so, could you please tell me more about that?
- Given the current state of shisha consumption in Edmonton, what has been the experience or impacts to your community?
- From your perspective, what changes could be made to the current state of shisha consumption in Edmonton?
- Is there anything else you want to share with us regarding the indoor consumption of shisha?

For the stakeholder who was part of an impacted community and also a former shisha lounge owner, Administration asked some additional questions:

- Can you tell us what type of business you have?
- We want to understand your experience and the impacts to your business, recognizing that the July 2020 ban coincided with the COVID-19 pandemic. Can you tell us how your business model has changed since then?
- Did you have any mitigation measures in place to reduce secondhand smoke exposure?
- Is there anything else you would like to share about your business or the indoor consumption of shisha?

What We Heard

Alberta Health Services

Administration met with AHS to discuss the impacts of smoking and secondhand smoke. They provided answers verbally and also followed up with an attachment of their answers to the questions posed by Administration. Details are included in Attachment 4 of the June 19, 2023 Committee package - AHS Responses to Discussion on Indoor Shisha Consumption.

Action on Smoking and Health

Administration conducted a verbal interview with ASH, a health and advocacy organization that works to reduce and prevent tobacco use in Alberta and beyond. According to ASH:

- 20% of Edmonton residents have health conditions that are aggravated by exposure to secondhand smoke including those with asthma, allergies and heart disease. To these individuals, the presence of secondhand smoke in public settings can be very harmful and indoor consumption of these products is a discriminatory practice that affects people with physical disabilities. These individuals should not be denied entry to any public establishments due to the presence of secondhand smoke.
- Any organic material that is burned at a low temperature to the point of combustion produces dozens to hundreds of hazardous compounds, many of which have no safe level of exposure.

- There is a burden to repeatedly engaging public health organizations on this issue who already have numerous priorities to address, including reducing health inequities.
- The ASHRAE position paper states that secondhand smoke cannot be eliminated within a building when there are smoking rooms inside.
- The City of Edmonton has not compromised other public health standards in recent years.
- The use of shisha is a recreational activity, it is not sacred or religious. The use of tobacco by Indigenous peoples is a sacred cultural use.

Impacted Community Members

Administration worked with Nanda & Company, a representative of the Edmonton Hookah Cultural Society, to connect with individuals in the communities that have been impacted by the ban on indoor shisha consumption. Administration interviewed two individuals - a former shisha lounge operator who is also a member of the Eritrean community, and a young Muslim woman who previously visited shisha lounges. Additionally, Administration interviewed a business owner who had recently inquired with the City about offering shisha consumption at their business. The following points were raised:

- Shisha has cultural recreational significance for people of African and South Asian descent, as well as for the Muslim community. Shisha consumption plays a large role in how these communities congregate and keep in touch with each other.
- Businesses act like community centres in many ways. The ban has significantly impacted the way that people from different cultures and different aspects of life come together.
- The economic impact of the ban to some businesses has been significant. In some cases shisha consumption accounted for 60% of their revenue.
- Shisha cafes/lounges provided a safe environment for Muslim, hijab wearing women and those in the impacted communities who wanted to gather with friends in a more relaxed and safe environment. The young woman interviewed explained that she does not feel safe in a club atmosphere, and these lounges offered her an alternative.
- In the religion of Islam, adherents do not consume alcohol. Smoking shisha is a different way to relieve stress.
- It is popular in Afghanistan - particularly among men.

Next Steps

Administration will be presenting a report, including the findings from this engagement, to the Community and Public Services Committee on June 19, 2023. If Council directs Administration to provide further information or recommended bylaw amendments, further engagement with impacted community members and public health organizations may be required.