

McDonald, David S

From: LeBlanc-Murray, Nicole M
Sent: October-31-14 3:14 PM
To: MacDonald, Heather M
Subject: Bill 60 and Cedar Festival

From: Justice Minister
Sent: Tuesday, October 28, 2014 10:03 AM
To: LeBlanc-Murray, Nicole M
Subject: FW: Bill 60 and Cedar Festival

Hi Nicole,

Attached is another submission to the Law Amendments Committee from Michael Kabalen re Bill 60.

Thanks,
Elaine

From: Michael Kabalen [<mailto:mkabalen@killamproperties.com>]
Sent: Monday, October 27, 2014 5:13 PM
To: info@lenadiab.ca; Justice Minister
Subject: Bill 60 and Cedar Festival

Good day,

We write to you, The Honorable Minister Diab to discuss repercussions on cultural celebrations, such as Cedar Festival, from including “water pipe” under the new regulations proposed in Bill 60. The water pipe, also known as “hooka” or “argelieh” is an important part of Lebanese, and the broader Middle Eastern and Oriental Culture.

Although originally tobacco based, the water pipe now features tobacco-free, herbal alternatives. This has allowed the tradition to continue to be carried on, without the harsh and addictive properties of tobacco. We have worked to recreate the atmosphere and tradition of the Lebanese Café with the use of water pipe at Cedar Festival. As a non-profit, volunteer driven entity, we have invested money and countless volunteer hours to develop a format for our festival that highlights the cultures and traditions of our Lebanese heritage, which features use of the water pipe, with herbal only products, as one of the contributing factors.

Bill 60 proposes several changes that will adversely affect a number cultural businesses, as well as our non-profit showcase of Lebanese-Canadian Culture. When taking the applicable portions of the legislation into account, the picture is clear; the authors of this legislation propose to strictly prohibit this cultural tradition.

Smoke Free Act -

NEW - 2 (h) "smoke" means to smoke, inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit cigarette, cigar, pipe, water pipe, electronic cigarette or other device that burns or heats tobacco or other substance that is intended to be smoked or inhaled;

NEW - 2 (j) "water pipe" means any lighted or heated smoking equipment used to burn tobacco or non-tobacco substances or any combination thereof and draw the resulting smoke through water before it is inhaled.

Existing but applies to Cedar Festival - 5(3) No person shall smoke in the outdoor area of a restaurant or a place licensed to serve alcoholic beverages if that area is used for the serving or consumption of food or beverages.

(3A) No manager of an... outdoor area referred to in subsection (3) shall permit any person to smoke in that place, on those grounds or in that area.

We are writing you, Honorable Mrs. Diab, in your capacity as chair of the law amendments committee, in the hope that you may add an amendment to this legislation which will allow a special permit to be acquired for cultural purposes. An amendment could be made in the following places of the *Smoke Free Places Act*:

Section 3 sub (2) – removing the period at the end of the section and adding “*nor does it affect established cultural traditions of not-for-profit Middle Eastern or Oriental Festivals, gatherings, etc. using a non-tobacco product who acquire a permit as prescribed by regulation.*”

OR

Section 5 sub (3) – removing the period at the end of the section and adding “*except for established cultural traditions of not-for-profit Middle Eastern or Oriental Festivals, gatherings etc. using a non-tobacco product who acquire a permit as prescribed by regulation.*”

Which would also require changing sub (3A) - – removing the period at the end of the section and adding “*except for established cultural traditions of not-for-profit Middle Eastern or Oriental Festivals, gatherings etc. using a non-tobacco product who acquire a permit as prescribed by regulation.*”

We look forward to hearing from the Honorable Minister to discuss our serious concerns further in anticipation of this matter being heard before the Law Amendments Committee.

All of which is Respectfully submitted,



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