

# VILLAGE OF CANAL FLATS

## Clean Air Bylaw NO. 211, 2018

### A Bylaw for the Purpose of Regulating Smoking/Vaping/Cannabis Use in the Village of Canal Flats

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**WHEREAS** the Council of the Village of Canal Flats considers it desirable to protect the health and safety of all citizens and visitors in the Village of Canal Flats by prohibiting Smoking (et al.) in specific places,

**NOW THEREFORE**, Council in open meeting assembled, **ENACTS AS FOLLOWS:**

#### **PART 1 – INTERPRETATION:**

##### **1.1 Definitions**

In this Bylaw:

- a) “Village” means the Village of Canal Flats
- b) “Recreation Facility” means all Village of Canal Flats recreation facilities, including grounds
- c) “Park” means all parks, playgrounds, playing fields, beaches, and trails in the Village of Canal Flats
- d) “Transit Shelter” means a structure or facility located at a designated bus stop for passengers waiting for a bus
- e) “Smoke or Smoking” means to inhale, exhale, burn or carry a lighted cigarette, cigar, pipe, hookah pipe, electronic cigarette or other smoking equipment, that burns or vaporizes tobacco, cannabis, or any other substance
- f) “Outdoor Special Event” means a pre-planned community event including but not limited to a temporary street closure, farmers market, parade, fair and recreational and/or fundraising events

#### **PART 2 – PROHIBITION**

**2.1** a) No person shall Smoke:

- i. In a Park or within 7 metres of any Recreation Facility, or Transit Shelter;
- ii. Inside a motor vehicle or equipment owned or leased by the Village, or used for Village work or break purposes;
- iii. During an outdoor special event.

b) Notwithstanding this prohibition, the traditional use of tobacco in Aboriginal ceremonies in public spaces is permitted.

#### **PART 3 – PENALTIES**

##### **3.1 General Penalty Provision**

- a) Anyone who violates any section of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence.

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- b) Any person who is convicted of an offence pursuant to this Bylaw is liable on conviction to a penalty of not more than \$2000.00, the costs of prosecution, and any other penalty or order imposed pursuant to the *Local Government Act*, *Community Charter* or the *Offence Act* (British Columbia). Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.

**PART 4 - SEVERABILITY**

**4.1** If any portion of this bylaw is declared invalid and set aside by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw shall be valid.

**PART 5 - CITATION:**

This Bylaw may be cited as the "Village of Canal Flats Clean Air Bylaw No. 211, 2018".

**READ the FIRST, SECOND and THIRD TIME this 10<sup>th</sup> day of December, 2018.**

**ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_**

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CORPORATE OFFICER**

CERTIFIED a true and correct copy of the  
"Village of Canal Flats Clean Air Bylaw  
No. 211, 2018"

\_\_\_\_\_  
Corporate Officer