

VILLAGE OF KASLO
BYLAW 1222

**A BYLAW FOR THE PURPOSE OF REGULATING SMOKING IN THE VILLAGE OF
KASLO**

WHEREAS the *Community Charter*, SBC Chapter 26, 2003, authorizes the Village, by bylaw, to regulate, prohibit and impose requirements in relation to the health, safety or protection of persons;

AND WHEREAS Council considers it desirable to protect the health and safety of all citizens and visitors by prohibiting smoking in specific outdoor places;

NOW THEREFORE, Council of the Village of Kaslo, in open meeting assembled, **ENACTS AS FOLLOWS:**

Citation

1. This Bylaw may be cited for all purposes as the “Smoking Control Bylaw No.1222, 2018”.

Interpretation

2. In this Bylaw:

"Bylaw" means this Bylaw including all schedules hereto.

"Council" means Council of the Village of Kaslo.

“Outdoor Special Event” means a pre-planned community event including but not limited to a temporary street closure, fair, market, parade and recreational and/or fundraising event.

“Park” or “Public Municipal Open Space” means any real property owned or occupied by the Village for the purpose of pleasure, recreation or community use by the public, including but not limited to beaches, parks, playgrounds, skate/all wheel parks, sport fields and trails in the Village.

“Public Building” means a building or structure owned, leased by or from otherwise occupied by the Village or any public-sector government or body within the Village of Kaslo.

“Recreation Facility” means all Village recreation facilities, directly managed or run by third party license or lease holders for the purpose of recreational activities.

“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, marijuana/ cannabis or any other substance.

"Village" means the Village of Kaslo.

Prohibition

3. No person shall smoke:
 - (a) In or within 7.5 meters of any Park or Public Municipal Open Space;
 - (b) Inside a Public Building;
 - (c) At or within 7.5 metres of an entrance, air intake or window of any Recreational Facility or Public Building;
 - (d) In or within 7.5 metres of an Outdoor Special Event area.

Exemptions

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

Offences and Penalties

5.
 - (a) Any person who contravenes this Bylaw is liable upon summary conviction to a fine not exceeding \$100.
 - (b) 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.

Notice Generally

6. The Village shall cause to be displayed not less than two (2) signs in conspicuous locations at or near its Parks, summarizing the regulations contained in this Bylaw.

Severability

7. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

Repeal and Commencement

8. This Bylaw shall come into force and take effect upon the date of its adoption.
9. The Village of Kaslo Smoking Regulation Bylaw No. 825, 1993 and any amendments thereto are hereby repealed.

READ A FIRST TIME the 1st day of May, 2018.

READ A SECOND TIME the 1st day of May, 2018.

READ A THIRD TIME the 1st day of May, 2018.

ADOPTED ON THE 8th day of May, 2018

Chief Administrative Officer

Mayor

Certified Correct:

Chief Administrative Officer