

A Bylaw of the Summer Village of Rochon Sands, in the Province of Alberta, to regulate a smoke free environment in the workplace and open public areas;

WHEREAS the Council of The Summer Village of Rochon Sands deems it expedient and appropriate to limit the effects of second hand smoke and recognize the social perception of consuming tobacco or cannabis products within the Summer Village of Rochon Sands;

AND WHEREAS, the Council of The Summer Village of Rochon Sands deems it expedient and appropriate to regulate smoking of tobacco or cannabis products in public places within the Summer Village of Rochon Sands; and, in accordance with the Municipal Government Act, RSA 2000, Chapter M-26, as amended from time to time, has the authority to pass bylaws respecting:

1. the safety, health and welfare of people and the protection of people and property;
2. people, activities, and things in, on or near public places or place that is open to the public;
3. businesses, business activities, or persons engaged in business;

NOW THEREFORE, the Council of Summer Village of Rochon Sands, in the Province of Alberta, hereby enacts as follows:

**1. Title**

- 1.1 This Bylaw may be cited as the “Smoking Bylaw”;

**2. Definitions**

- 2.1 “Act” means the Municipal Government Act RSA 2000, c-M.26 and regulations as amended from time to time;
- 2.2 “Bylaw” means the Summer Village of Rochon Sands Bylaw #236-18;
- 2.3 “Council” is the members of Council of Summer Village of Rochon Sands elected pursuant to the Local Authorities Election Act;
- 2.4 “Municipal Tag” means a ticket or similar document issued by the Summer Village of Rochon Sands pursuant to the Municipal Government Act RSA 2000, Chapter M.26 as amended from time to time and referred to in Section 6.
- 2.5 “Public Place” means any open area within the Summer Village of Rochon Sands which is not deemed private property; this includes all lands owned or leased by the Summer Village of Rochon Sands, that is legally accessible to all members of the public;
- 2.6 “Summer Village” is the Summer Village of Rochon Sands;

controlling of a lighted cigar, cigarette, pipe or any other device to consume tobacco or cannabis products;

2.10 “Violation Ticket” means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act RSA 2000, Chapter P-34, as amended time to time; regulations thereunder and as referred to in Section 7 of this Bylaw.

### **3. General Provisions**

1. No person shall smoke in a public place where a “No Smoking” sign is present. This includes all Summer Village of Rochon Sands Municipal Reserve Lands, regardless if a sign is present or not.

### **4. Signs**

1. The following graphic symbol shall be used to indicate areas where smoking is prohibited pursuant to this Bylaw:



**On a white background with the circle and the interdictory stroke in red.**

2. The graphic symbol referred in section 4.1 shall include the text “NO SMOKING” in letters at least five (5) percent of the diameter of the circle or symbol, and of a letter height not less than 2.54 cm.

### **5. Penalties**

1. The specified fine for an offence committed to pursuant to this bylaw is established as:  
All offences to a maximum fine of \$250.00 per offence.

### **6. Municipal Tags**

1. A Peace Officer is hereby authorized and empowered to issue a municipal tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
2. Where a municipal tag is issued pursuant to Section 6 of this bylaw, the person to whom the municipal tag is issued may, in lieu of being processed for the offence, pay the penalty to the Summer Village the

time, then a Peace Officer or the Bylaw Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the Provincial Offences Procedure Act, RSA 2000, Chapter P-34 as amended time to time.

#### **8. Effective Date**

This bylaw becomes into effect on third and final reading.

Read a first time on this 21<sup>st</sup> day of August 2018.

Read a second time on this 21<sup>st</sup> day of August 2018.

Read a third and final time on this 21<sup>st</sup> day of August 2018.

---

Chief Elected Official

---

Chief Administrative Officer