

THE CORPORATION OF THE VILLAGE OF WARFIELD

BYLAW #854

A BYLAW FOR THE PURPOSE OF REGULATING SMOKING IN THE VILLAGE OF WARFIELD

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

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

PART I - INTERPRETATION

SHORT TITLE

1.1 This Bylaw may be cited as the "**SMOKING REGULATION BYLAW**"

1.2 Definitions in this Bylaw:

"Village" means the Village of Warfield.

"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" 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: parks, playgrounds, sport fields, spray parks, pools and trails in the Village of Warfield.

"Recreation Facility" means all Village of Warfield recreation facilities.

"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 or any other substance.

PART II - PROHIBITION

2.1 No person shall smoke:

- a. In any Park;
- b. At or within 6.0 metres of any Recreation Facility;

c. At an Outdoor Special Event.

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

PART III - 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.

b. Any person who is convicted of an offence pursuant to this bylaw is liable on conviction to a penalty of not more than \$100.

PART IV – SEVERABILITY AND REPEAL

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.

| | |
|----------------------------------|--------------------------|
| READ A FIRST TIME | this 4th of April 2018 |
| READ A SECOND | this 4th of April 2018 |
| READ A THIRD TIME | this 4th of April 2018 |
| RECONSIDERED AND FINALLY ADOPTED | this 16th of April, 2018 |

MAYOR

CORPORATE ADMINISTRATOR

Certified a true copy of Bylaw No. 854

CORPORATE ADMINISTRATOR