

**TOWN OF RAYMOND  
BYLAW NO. 1069-19**

A BYLAW OF THE TOWN OF RAYMOND TO REGULATE SMOKING AND VAPOURIZING IN AND AT TOWN  
OF RAYMOND PUBLIC FACILITIES.

**WHEREAS**, the Council of the Town of Raymond has the authority to pass bylaws prohibiting and regulating the smoking and vapourizing in the Town of Raymond under the provision of section 7 (a) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000;

**AND WHEREAS**, it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars, vapourizers and pipes) is a health hazard and a discomfort for many people;

**AND WHEREAS**, it is in the interest of promoting the health, safety, and welfare of the inhabitants of the Town of Raymond to prohibit smoking and vapourizing at public facilities in the Town of Raymond;

**AND WHEREAS**, the Tobacco and Smoking Reduction Act and Regulation of the Province of Alberta will continue to regulate smoking in and at other public places in Raymond;

**NOW THEREFORE**, the Council of the Town of Raymond, in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. Short Title**

This Bylaw may be cited as the Smoking Bylaw.

**2. Definitions**

- a) "Bylaw Enforcement Officer" means a Peace Officer, Police Officer or Bylaw Officer;
- b) "Outdoor Pool" means a structure that contains water which is designed and intended for recreational use, and includes a spray park or a wading pool;
- c) "Playground" means an outdoor area upon which apparatus such as swings and slides are placed;
- d) "Public Facility" means any town owned building, structure, park, recreation area or other property, to which the public may have either express or implied access for the purpose of entertainment, recreation, business, amusement, education, transportation, consumption of food or drink, or for the provision and receipt of services;
- e) "Smoke or Smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
- f) "Sports Field" means an outdoor area which is set apart and used for the playing of sporting activities.
- g) "Vapourize or Vapourizing" means to inhale or exhale vapour produced by an electronic

cigarette, electronic pipe, electronic hookah or other similar device that can be used to deliver nicotine or other substances.

### 3. Prohibition

- a) No person shall carry or possess a lit cigarette, cigar or pipe, burn tobacco or vapourize in any manner in a public facility.
- b) No person shall carry or possess a lit cigarette, cigar or pipe, burn tobacco or vapourize in any manner, in, on or within 5 metres of a public facility, including:
  - i) an outdoor pool;
  - ii) a playground;
  - iii) a skatepark; or
  - iv) a sports field

or any other public facility to which the public has access as of right or by express or implied invitation.

### 4. Signage

All public facilities must conspicuously post a no smoking/vapourizing sign.

### 5. Penalty

- a) Any person who contravenes any provision of the Bylaw is guilty of an offence and on summary conviction is liable to a fine of not more than One Thousand (\$1,000) dollars.
- b) The minimum penalty that may be imposed for:
  - i) a first offence in respect of a violation of any provision of this Bylaw shall be \$50.00;
  - ii) a second offence of the same provision of this Bylaw within a twenty-four (24) month period shall be \$100.00;
  - iii) a third or subsequent offence of the same provision of this Bylaw within a twenty-four (24) month period shall be \$200.00.
- c) Where any Bylaw Enforcement Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket pursuant to the *Provincial Offences Procedures Act*.

### 6. Severability Clause

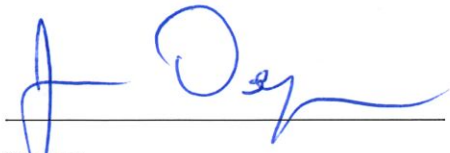
If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.

This bylaw will come into force on the date of third and final reading.

**READ** a first time this 19<sup>th</sup> day of February 2019

**READ** a second time this 5<sup>th</sup> day of February, 2019.

**READ** a third time this 5<sup>th</sup> day of February, 2019.



Mayor



CAO