

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW 91 - 3

SMOKING: being a by-law to regulate smoking in public areas

WHEREAS section 104 of The Municipal Act, R.S.O. 1980, chapter 302, provides as follows:

104. Every council may pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by this Act as may be deemed expedient and are not contrary to law, and for governing the proceeds of the council, the conduct of its members and the calling of meetings.

AND WHEREAS paragraph 134 of subsection 1 of section 210 of the Municipal Act provides that by-laws may be passed by the councils of local municipalities,

134. For prohibiting and abating public nuisances.

AND WHEREAS it has been determined that second-hand tobacco smoke (exhaled smoke and smoke from idling cigarettes, cigars and pipes) is a public nuisance because of its irritating and discomforting properties and is a health hazard because of its impairment, adverse effect and risk to health, to the inhabitants of the Township of Prince;

AND WHEREAS it is desirable to provide for the prohibiting and abating of second-hand smoke in accordance with the provisions of this by-law.

NOW THEREFORE the Council of the Corporation of the Township of Prine ENACTS AS FOLLOWS:

1. In this by-law,

- (a) "Township" means the Township of Prince;
- (b) "Community Centre" means the Community Centre located at 3042 Second Line West, R.R. #6, Prince, Sault Ste. Marie, Ontario;

(c) "Second-hand smoke" means,

(i) exhaled smoke;

(ii) smoke from an idling,

- A. cigarette, or
- B. cigar; or
- C. pipe or
- D. any other tobacco using or constructed device, but does not include smoke that has drifted into a place or area in which smoking is prohibited from a place or area in which smoking is not prohibited;

(d) "smoke" or "smoking" means produce or production of second-hand smoke.

2. COMMUNITY CENTRE

(1) No person shall smoke in any part of the Community Centre except the main hallway and the banquet hall.


(2) No smoking signs shall be conspicuously posted so as to clearly identify the areas in which smoking is and is not prohibited.

3. SUMMARY CONVICTION - FINES


Every person who contravenes any provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$500.00 exclusive of costs.

4. This by-law comes into effect on the date of its passing.

READ THREE TIMES AND PASSED in open Council this 12th day of February, 1991.



Administrator



Reeve