



CONSOLIDATED FOR CONVENIENCE ONLY

**SMOKING REGULATION BYLAW
NO. 1767, 2015**



CITY OF QUESNEL
BYLAW NO. 1767
Consolidated Version for Convenience only

AMENDED BY:

City of Quesnel Smoking Regulation Amendment Bylaw No. 1846 of 2018

City of Quesnel Smoking Regulation Amendment Bylaw No.1871 of 2019

A Bylaw to regulate smoking in City of Quesnel Public Spaces.

WHEREAS Council may, by bylaw, regulate, prohibit and impose requirements in relation to public health and public spaces per Section 8(3)(i) of the Community Charter;

AND WHEREAS it has been determined that second-hand smoke is a health hazard and nuisance for persons in public spaces in the City of Quesnel;

AND WHEREAS it is desirable for the care, promotion and protection of the health of people in parks to regulate smoking in parks;

AND WHEREAS the City of Quesnel has satisfied the preconditions to adopting this Bylaw set out in the Public Health Bylaws Regulation, B.C. Reg42/2005;

NOW THEREFORE, the Council of the City of Quesnel in an open meeting assembled enacts as follows:

1. Interpretation

(1) In this bylaw:

“Cannabis (Marihuana, Marijuana)” means **cannabis** as defined in the *Controlled Drugs and Substances Act* (Canada), or any regulations made pursuant to that Act, and includes any products containing **cannabis**.

“Smoke or Smoking” means to inhale, exhale, burn, or carry a lighted cigar, cigarette, pipe, vaporizer or other **smoking** equipment that burns or vaporizes substances but does not include the carrying of lighted incense or other lighted **smoking** equipment used solely for ceremonial or religious purposes;

“Street” means any highway, roadway, sidewalk, boulevard, place or right of way which the public is ordinarily entitled or may be permitted to use for the passage of vehicles or pedestrians and includes a breezeway or a structure (ie. vacant store front) located or connected to any of those areas.

2. Tobacco Use in Public Spaces

(1) No person shall **smoke** tobacco, **cannabis** or any other plant or herb substance in any manner in the following places:

(a) LeBourdais Park;

- (b) West Fraser Timber Park;
- (c) Spirit Square;
- (d) Quesnel Youth Soccer playing fields;
- (e) Playgrounds and playing fields;
- (f) Fraser River Foot Bridge, including the entrances;
- (g) on a **Street** located between:
 - i. the 100 block, 200 block, 300 and 400 block of St. Laurent Avenue;
 - ii. the 100 block, 200 block, 300 block and 400 block of Barlow Avenue; or
 - iii. the 200 block, 300 block, and 400 block of Reid **Street**.

3. Cannabis Use in Public Spaces

(1) No person shall **smoke cannabis** in any manner on all publicly owned land and facilities, including all public right-of-ways.

4. Enforcement

(1) This Bylaw may be enforced:

- (a) by means of a ticket in the form prescribed for the purpose under the Community Charter, and fines of up to \$1,000 imposed for offences under the City of Quesnel Municipal Ticketing Information Bylaw;
- (b) by proceedings brought under the Offence Act; or
- (c) by any other proceedings authorized by law.

(2) On being convicted of an offence under this bylaw, a person is liable to pay a fine of up to \$10,000, the costs of prosecution, and compensation for any loss or damages resulting from the offence.

5. Amendment of Municipal Ticket Information Bylaw (M.T.I.)

(1) M.T.I. Bylaw No. 1320 of 1995, as previously amended, is further amended by adding Schedule 10 with the attached Schedule "A" hereto, to be cited for all purposes as Schedule 10 of Bylaw No. 1320.

6. Citation

This Bylaw may be cited for all purposes as "City of Quesnel Smoking Regulation Bylaw No. 1767 of 2015".

READ A FIRST TIME this 22nd day of June, 2015.

READ A SECOND TIME this 28th day of September, 2015.

READ A THIRD TIME this 5th day of October, 2015.

DEPOSITED with the Ministry of Health this 8th day of October, 2015.

FINALLY ADOPTED by Council this 2nd day of November, 2015.

MAYOR,
Bob Simpson

CORPORATE OFFICER,
Byron Johnson

I hereby certify that the foregoing is a true and current copy of the "City of Quesnel Smoking Regulation Bylaw No. 1767 of 2015".

DEPUTY CORPORATE ADMINISTRATOR,
Gina Albers

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