

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2019-21

BEING A BY-LAW TO PROHIBIT SMOKING OF TOBACCO, CANNABIS OR VAPING
IN CERTAIN AREAS WITHIN THE TOWNSHIP OF SEVERN

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 115. provides that a municipality may prohibit or regulate the smoking of tobacco in public places and workplaces;

AND WHEREAS the *Municipal Act*, Chapter 25, Section 11(2) provides that a municipality may pass By-laws in the interest of health, safety and well-being of its residents;

AND WHEREAS the *Cannabis Act (Canada)* has now been enacted;

AND WHEREAS the Council of the Corporation of the Township of Severn has deemed it desirable for the health, safety and well-being of the residents to prohibit or regulate smoking or vaporizing of tobacco and cannabis and vaporising of any substance in certain areas of the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. Definitions

“Cannabis” shall mean cannabis as defined in the *Cannabis Act (Canada)*.

“Municipal Building” shall mean any enclosed building or group of buildings owned and/or operated by the Township of Severn.

“Outdoor Developed Parkland” shall mean all parkland developed for public use within the municipality.

“Smoke or Smoking” shall include the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

“Township” means the Corporation of the Township of Severn.

“Vaping” shall mean the action or practice of inhaling and exhaling the vapor produced by an electronic cigarette or similar device.

2. General Prohibition on Smoking, Vaping & Cannabis

2.1 That no person shall smoke, vape or use cannabis within 9 metres (30 feet) of any entrance to a municipal building.

2.2 That no person shall smoke, vape or use cannabis within the municipal boundaries of all developed outdoor facilities within the municipality, including parkland, docks and recreational trails.

3. Duties

That no proprietor, renter or other person in charge of a municipal building or outdoor developed parkland shall permit smoking, vaping or the use of cannabis where it is prohibited under this By-law.

4. Contravention

- (a) That any person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to a penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, as amended.
- (b) That the Chief Building Official/ Municipal Law Enforcement Officer be authorized to apply to the Chief Judge for set fines with respect to contravention of this By-law under the *Provincial Offences Act*.

5. That this By-law shall come into force and effect on the date of passing thereof.

6. That By-law No. 2013-68 be and it is hereby now repealed.

By-law read a first and second time this 6th day of February, 2019.

By-law read a third time and finally passed this 6th day of February, 2019.

CORPORATION OF THE TOWNSHIP OF SEVERN

MAYOR

CLERK