



A BYLAW OF THE TOWN OF LAMONT
IN THE PROVINCE OF ALBERTA

BYLAW 03/16

BEING A BY-LAW OF THE TOWN OF LAMONT, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING SMOKING IN PUBLIC PLACES IN THE TOWN OF LAMONT.

WHEREAS pursuant to section 7(a) of the Municipal Government Act, RSA 2000, Ch. M-26 as revised, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS pursuant to section 7 (b) of the Municipal Government Act, RSA 2000, Ch. M-26 as revised, a Council may pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or place that is open to the public;

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

1. SHORT TITLE

1.1 This Bylaw may be cited as the "Smoking Bylaw" of the Town of Lamont.

2. DEFINITIONS

2.1 "**Council**" means the Town Council for the Town of Lamont;

2.2 "**Electronic Smoking Device**" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.

2.3 "**Playground**" means an outdoor area upon which apparatus such as swings and slides are placed;

2.4 "**Public Premises**" means any place to which the public may have either express or implied access for the purpose of worship, entertainment, recreation, business, amusement, education, transportation, consumption of food or drink, or for the provision and receipt of services;

2.5 "**Officer**" means a person appointed as a Bylaw Enforcement Officer for the Town of Lamont pursuant to the *Municipal Government Act*.

2.6 "**Public Vehicle**" means a bus, taxi or other vehicle that is used to transport members of the public for a fee;

2.7 "**Public Washroom**" means any washroom or lavatory open to the general public;

2.8 "**Town**" means the Town of Lamont;

2.9 "**Workplace**" includes the whole or any part of a building, structure, vehicle or passenger conveyance in which a business is carried on but excludes:

- i. any part which constitutes public premises; and
- ii. private residences.

3. REGULATIONS

3.1 No person shall:

- i. carry or possess a lit cigarette, cigar or pipe, or burn tobacco in any manner; or
- ii. use an electronic smoking device

in a public premise, workplace or a public vehicle.

[Handwritten initials]



3.2 No person shall:

- i. carry or possess a lit cigarette, cigar or pipe, or burn tobacco in any manner; or
- ii. use an electronic smoking device

in, on or within five (5) metres of a:

- i. playground;
- ii. entrance or exit to a public premise; or
- iii. any place the public has access as of right or by express or implied invitation.

3.3 No person shall permit ashtrays or objects intended to be a receptacle for a cigarette butt to be placed in indoor areas where smoking is prohibited by this bylaw.

4. VIOLATION TICKETS AND SPECIFIED PENALTIES

4.1 Where an 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*.

4.2 The specified penalty payable in respect of a violation of a provision of this bylaw shall be the amount shown as the specified penalty in Schedule "A" of this bylaw in respect of that provision.

4.3 This section shall not prevent any officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*.

4.4 Nothing in this bylaw shall limit the authority of a designated officer to take steps to ensure compliance with this bylaw.

5. EFFECTIVE DATE

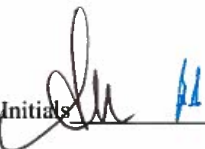
5.1 This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

[Handwritten signature] *[Handwritten initials]*



SCHEDULE "A"
SPECIFIED PENALTIES

Section		Amount of Specified Penalty in Dollars
3.1	Carrying or possessing a lit cigarette, cigar or pipe; or using an electronic smoking device where prohibited.	\$100.00
3.2	Carrying or possessing a lit cigarette, cigar or pipe; or using an electronic smoking device, in, on, or within 5 metres of a playground; entrance or exit to a public premise; any place public has access as of right or by express or implied invitation.	\$100.00
3.3	Placing ashtrays or objects intended to be a receptacle for a cigarette butt to be placed in indoor areas where smoking is prohibited by this bylaw.	\$200.00

Initials  _____



READ A FIRST TIME THIS 26 DAY OF January, 2016 A.D.

Bob Sh...
Mayor

Maachmeyer
Chief Administrative Officer

READ A SECOND TIME THIS 26 DAY OF January, 2016 A.D.

Bob Sh...
Mayor,

Maachmeyer
Chief Administrative Officer

PROCEED WITH THIRD READING WITH THE UNANIMOUS CONSENT OF ALL MEMBERS PRESENT THIS 26 day of January, 2016 A.D.

Bob Sh...
Mayor

Maachmeyer
Chief Administrative Officer

READ A THIRD TIME THIS 26 DAY OF January, 2016 A.D.

Bob Sh...
Mayor,

Maachmeyer
Chief Administrative Officer

Initials BS MS