

Town of Truro - Bylaws

Subject:	A By-Law to Protect Persons from Tobacco Smoke
Bylaw Number:	0901
Approval Date:	January 12, 2009
Departments:	Legal

A By-Law to Protect Persons from Tobacco Smoke

Title

1. This By-Law may be cited as the “No Smoking By-Law”.

Definitions

2. In this By-law:
 - (1) “No-Smoking Area” means any public portion of Inglis Place, including any sidewalk, street, lane, thoroughfare, curb, and retaining wall, but does not include a private residence.
 - (2) “proprietor” means a person who owns, manages, possesses or controls premises or directs activity carried out on premises.
 - (3) “smoke” or “smoking” means to smoke, hold, or otherwise have control over ignited tobacco, and includes smoking a cigarette, cigar or pipe.
 - (4) “tobacco” means tobacco as defined in the *Smoke-free Places Act*, S.N.S. 2002, c. 12, as amended from time to time.

No Smoking

3. No person shall smoke in a No-Smoking Area.
4. Any person who violates this By-law is guilty of an offence punishable on summary conviction by a fine of not less than \$100.00 and not more than \$1,000.00 and to imprisonment of not more than 30 days in default of payment thereof.
5. Nothing in this By-Law shall be construed as:
 - (1) authorizing smoking in places where smoking is otherwise lawfully

prohibited by a proprietor or any law, regulation, by-law, lawful order or directive pursuant to any statute, regulation or statutory or regulatory authority; or

- (2) authorizing non-compliance with any laws, regulations, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority that may require signage to be posted or other steps to be taken by proprietors of premises related to smoking.
6. Nothing in this By-law impacts any other authority to regulate, restrict or prohibit smoking.
 7. Where there is a conflict between this By-law and any other authority, regulating, restricting or prohibiting smoking, the more restrictive authority shall prevail to the extent of the conflict.

>>> end bylaw <<<