

Town of Truro – Bylaws

Subject: No Smoking Bylaw
Bylaw Number: B190-001
Approval Date: December 3, 2018
Departments: Legal

Title

1. This Bylaw may be cited as the “No Smoking Bylaw”.

Definitions

2. In this Bylaw:

- (1) “Cannabis” means cannabis as defined in the *Cannabis Act* (Canada);
- (2) “Electronic cigarette” means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, containing a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled;
- (3) “No Smoking Area” means:
 - (a) Any public portion of Inglis Place, including any sidewalk, street, lane, thoroughfare, curb, retaining wall, and any alley connected to Inglis Place, but does not include a private residence;
 - (b) All playgrounds on land owned or maintained by the Town;
 - (c) All trails, parks and similar green spaces owned or maintained by the Town of Truro and any portion of a sidewalk that abuts such trails, parks and similar green spaces, including but not limited to:
 - (i) Victoria Park;
 - (ii) Kiwanis Park;
 - (iii) Riverfront Park;
 - (iv) Victoria Square;
 - (v) Cobequid Trail;
 - (d) All outdoor recreational facilities owned or maintained by the Town of Truro and any portion of a sidewalk that abuts such outdoor recreational facilities, including but not limited to sports fields, grandstands, seating areas and bleachers;
 - (e) The land owned by the Town of Truro surrounding the Colchester Legion Stadium, including but not limited to the portion of the sidewalk on Lorne Street that abuts that land, the area in front of the Stadium on Lorne Street, and the parking lot for the Stadium;
 - (f) The area known as the “Civic Block”, consisting of the area bounded on the west by Young Street, on the south by Victoria Street, on the east by

Forrester Street, and on the north by Prince Street, including the surrounding sidewalk that abuts the Civic Block; and

- (g) All parking lots owned by the Town.
- (4) “Playground” means an area used by children for outdoor play or recreation that contains recreational equipment such as slides, swings and seesaws;
- (5) “Proprietor” means a person who owns, manages, possesses or controls premises or directs activity carried out on premises.
- (6) “Smoke” or “smoking” means to inhale, exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, electronic cigarette or other device that burns tobacco, cannabis or another substance that is intended to be smoked or inhaled.

No Smoking

- 3. No person shall smoke in a No Smoking Area.
- 4. Any person who violates this Bylaw 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 Bylaw shall be construed as:
 - (1) Authorizing smoking in places where smoking is otherwise lawfully prohibited by a proprietor or any law, regulation, bylaw, 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 Bylaw impacts any other authority to regulate, restrict or prohibit smoking.
- 7. Where there is a conflict between this Bylaw and any other authority, regulating, restricting or prohibiting smoking, the more restrictive authority shall prevail to the extent of the conflict.