



CITY OF ST. ALBERT ADMINISTRATIVE BACKGROUNDER

TITLE: BYLAW 12/2017 SMOKING BYLAW

PURPOSE OF REPORT:

On February 27, 2017 Councillor MacKay provided notice in accordance with Section 23 of the Procedures Bylaw that he intended to bring forward the proposed motions below.

In order for Council to debate the motion, the motion must be formally moved.

PROPOSED MOTIONS:

That section 3 (1) (c) be modified to add “or an area specifically reserved for smoking.”

That section 3 (1) (d, e and f) be modified to add “while in use” for each section.

BACKGROUND:

Notice of Motion #1

For clarity, Administration recommends that the motion be revised slightly to read as follows:

That Bylaw 12/2017 include an amendment to Bylaw 1/2004 such that Section 3(1)(c) of Bylaw 1/2004 reads as follows:

(c) *on the grounds of an Outdoor Public Event, except in an area reserved for motor vehicle parking, or an area specifically reserved for smoking by the Proprietor of the Outdoor Public Event.*

Notice of Motion #2

Again for clarity, and to draw a distinction between the types of facilities and locations noted in the referenced sections, Administration recommends that the motion be revised to read as follows:

That Bylaw 12/2017 include amendments to Bylaw 1/2004 such that Sections 3(2), 3(3) and 3(4) of Bylaw 1/2004 read as follows:

(2) *Unless an exception applies under this Bylaw, no person may engage in Smoking activity within 5 metres of a(n):*

- (a) *doorway, window or air intake of a Building;*
- (b) *Outdoor Pool; or*
- (c) *Playground.*

(3) *Unless an exception applies under this Bylaw, no person may engage in Smoking activity within 5 metres of a:*

- (a) *Seasonal Skating Rink;*
- (b) *Skate Park; or*
- (c) *Sports Field*

while it is being used for its intended purpose.

(4) *Subsection (1) does not apply to a Private Living Accommodation.*

Report Date: March 20, 2017

Author(s): Gene Klenke

Committee/Department: Legal Services

General Manager: Gene Klenke

City Manager: Kevin Scoble