



Legislation Details (With Text)

File #: PH-17-016 **Version:** 1 **Name:**
Type: Public Hearing **Status:** Agenda Ready
File created: 3/9/2017 **In control:** City Council
On agenda: 3/20/2017 **Final action:** 3/20/2017
Title: Smoking Bylaw 12/2017
Presented by: Jessy Inkpen, Solicitor

Sponsors:

Indexes:

Code sections:

Attachments: 1. Bylaw 12-2017, 2. Bylaw 1-2004 Smoking Bylaw (amendments highlighted), 3. Bylaw 1-2004 Smoking Bylaw - Current, 4. Agenda Report - Smoking Bylaw - February 27, 2017 (previously distributed), 5. Smoking Bylaw Amendment Recommendations

Date	Ver.	Action By	Action	Result
3/20/2017	1	City Council	received second reading	Pass
3/20/2017	1	City Council	closed Public Hearing	Pass
3/20/2017	1	City Council	approved as amended	Pass

TAMRMS#: B06

Smoking Bylaw 12/2017

Presented by: Jessy Inkpen, Solicitor

RECOMMENDATION(S)

1. That the Public Hearing be reopened.
2. That the Public Hearing be closed.
3. That Bylaw 12/2017, as Amendment 1 to Bylaw 1/2004 be read a second time.
4. That Bylaw 12/2017 be read a third and final time.

PURPOSE OF REPORT

To present Bylaw 12/2017 for consideration of second and third reading.

COUNCIL DIRECTION

On February 27, 2017 Council passed the following motions:

PH-17-003

That Bylaw 12/2017, as Amendment 1 to Bylaw 1/2004, be read the first time.

That the public hearing be adjourned to March 20, 2017.

BACKGROUND AND DISCUSSION

On February 27, 2017 Administration presented a report to Council outlining the proposed amendments to Bylaw 1/2004 and their corresponding rationale. This report, entitled "Agenda Report - Smoking Bylaw - February 27, 2017" and its attachments have been attached to this Agenda Report for reference.

Councillor MacKay provided two Notices of Motion on February 27, 2017 related to Bylaw 12/2017. Consideration of these motions is scheduled to occur earlier in the same meeting as this Agenda item. If Council passes either or both motions to amend Bylaw 12/2017, Administration recommends the following:

1. That the Public Hearing be reopened.
2. That the Public Hearing be closed.
3. That Bylaw 12/2017, as amended be read a second time.
4. That Bylaw 12/2017 be brought back for consideration or third reading on April 17, 2017.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

As noted previously, staff have reviewed the comparator bylaws to ascertain any trends or best practices that may exist within the province.

IMPLICATIONS OF RECOMMENDATION(S)

Financial: The current fine for a violation of the Bylaw is \$250.00. Upon conviction, the court may substitute such penalties as it deems appropriate. There are no changes being proposed to these provisions.

Legal / Risk: None of note at this time.

Program or Service: None of note at this time.

Organizational: Though changes to the Bylaw may result in an increased expectation to enforce, thereby requiring allocation of staff resources, a public information campaign aimed at achieving compliance may proceed any enforcement initiative.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendations, the following alternatives or additions could be considered:

1. Do nothing, though some bylaw redundancies would continue to exist by operation of the Legislation.
2. That the Bylaw be amended in accordance with specific direction provided by City Council.

STRATEGIC CONNECTIONS

a) City of St. Albert Strategic Plan (Policy C-CG-02)

Pillars of Sustainability

Social - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

Natural Environment - We protect, embrace and treasure our deeply-rooted connections with the natural environment through championing environmental action.

- b) Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)
- N/A
- c) Corporate Objectives (See Corporate Business Plan)
- Exercise strong fiscal management
- d) Council Policies, Bylaws or Federal/Provincial statutes
- *Smoking Bylaw 1/2004*
 - *Tobacco and Smoking Reduction Act*
 - *Tobacco and Smoking Reduction Regulation*
- e) Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)
- N/A

Report Date: March 20, 2017
Author(s): Gene Klenke
Committee/Department: Legal Services
General Manager: n/a
City Manager: Kevin Scoble