



## Legislation Text

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**File #:** PH-17-016, **Version:** 1

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**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