

## VILLAGE OF ANMORE

### BYLAW NO. 448-2008

A bylaw for the purpose of regulating  
where people may smoke

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**WHEREAS** the Council has been advised the second hand tobacco smoke (exhaled smoke and the smoke from cigarettes, cigars and pipes) is a health hazard and discomfort for many inhabitants of the Village of Anmore;

**AND WHEREAS** it is desirable for the health, safety and welfare of the inhabitants of the Village to prohibit or regulate smoking or both in the Village to the extent provided herein;

**NOW THEREFORE** the Council of the Village of Anmore, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw maybe cited as “Anmore Smoking Control Bylaw No. 448-2008”.
2. That “Smoking Control Bylaw 1988, No. 21” is hereby repealed in its entirety.
3. Definitions

In this bylaw:

“Council” means the Municipal Council of the Village of Anmore.

“Medical Health Officer” means the Medical Health Officer appointed for the Village under the Health Act, R.S.B.C. 1996, Chapter 179 and any amendments thereto.

“Place of Public Assembly” means a building or structure, or portion thereof used for the purposes of education, recreation or business to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry.

“Smoke or Smoking” means inhaling, exhaling, burning or carrying of a lighted cigar, cigarette, pipe or other smoking equipment of tobacco, or any other weed or plant.

4. Place of Public Assembly

A person must not smoke:

- (a) in any Place of Public Assembly;
- (b) within 7.5 meters of any doorway, window or air intake of a Place of Public Assembly; or
- (c) on or in any outdoor patio of a Place of Public Assembly.

5. Exceptions

This bylaw does not regulate smoking in a private home.

6. Validity

In the event there is a conflict between the provisions of any other Federal or Province of British Columbia Act or Regulation, or any other bylaw that is applicable to the Village, the more restrictive Act, Regulation or Bylaw shall prevail as may be specifically applicable to the intended purpose.

7. Offences and Penalty

Any person who contravenes the provision of this bylaw is guilty of an offence and, on summary conviction, is liable to a fine of not less than \$25.00 and not more than \$75.00 for the first offence; and not less than \$75.00 and not more than \$150.00 for the second offence; and not less than \$150.00 and not more than \$2,000.00 for the third and any subsequent offence. Each day that a violation of this bylaw continues shall constitute a separate offence.

**READ** a first time this 27th day of May, 2008

**READ** a second time this 27th day of May, 2008

**READ** a third time this 15th day of July, 2008

