

TOWN OF WILKIE - BYLAW NO. 11/18

A BYLAW OF THE TOWN OF WILKIE FOR THE PURPOSE OF REGULATING AND CONTROLLING SMOKING IN AND AROUND TOWN VEHICLES, BUILDINGS AND PROPERTY.

THE COUNCIL of the Town of Wilkie, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

1. This bylaw may be cited as The Smoking Bylaw.

DEFINITIONS

2. In this bylaw:

- a) "Cannabis" means cannabis as defined in *The Cannabis Control (Saskatchewan) Act* and includes any products containing cannabis.
- b) "Electronic cigarette" means a handheld device containing a liquid that is vaporized and inhaled, and includes but is not limited to electronic cigarettes, e-cigarettes, vaporizer cigarettes, personal vaporizers and electronic nicotine delivery systems.
- c) "Park" includes all lands used for picnic grounds, campgrounds, playgrounds, playing fields, or any other public open space, including walking trails, swimming pool, and any other public use area within the control and jurisdiction of the Town.
- d) "Smoke or Smoking" shall mean and include the carrying of a lighted cigar, cigarette, pipe, or any other lighted tobacco-smoking equipment.
- e) "Tobacco" means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine.
- f) "Town" means the Town of Wilkie.
- g) "Vape or vaping" means the utilization of an electronic device or any other heating smoking equipment used to vaporize any tobacco or non-tobacco substance whether or not it contains nicotine.

INTERPRETATION

3.
 - a) This Bylaw is intended to supplement the legislative scheme established under Part III of *The Tobacco Control Act*.
 - b) The provisions of *The Tobacco Control Act* shall apply in the Town of Wilkie, except as provided in Subsection (c).
 - c) In the event of a conflict between the provisions of this Bylaw and *The Tobacco Control Act*, the provisions of this Bylaw shall prevail provided the provisions of this Bylaw are more restrictive.
 - d) Whenever possible, the terms in this Bylaw shall have the same meaning as those terms are defined in *The Tobacco Control Act*.

DUTIES OF ADMINISTRATION AND ENFORCEMENT

4. The intent of this bylaw is to set standards in the general public interest and not to impose a duty on the Town or its employees to enforce its provisions, and:
 - a) a failure to administer or enforce its provisions, or the incomplete or inadequate administration or enforcement of its provisions, does not give to raise a cause of action in favour of any person.

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SCOPE

5. No person shall hold lighted tobacco or cannabis, smoke, or vape within 3 metres of any exit or entrance door in and around Town buildings or Town vehicles, or any Town owned park or property under the jurisdiction of the Town.
6. The Town Administrator, Town Assistant Administrator, Bylaw Enforcement Officer, Recreation Director, Arena Manager or Public Works Manager are hereby authorized to post a sign(s) in Schedule "A" attached to and forming part of this Bylaw, in and around the Town Buildings, Town Vehicles, Town Parks, or Town Property as deemed appropriate to inform members of the public and staff of any provisions of this Bylaw.
7. Any person who contravenes any provisions of this Bylaw is guilty of an offence and liable to a penalty of One Hundred Dollars (\$100.00).

COMING INTO FORCE

8. This bylaw shall come into force and take effect on the date of final passing thereof.




Mayor

Administrator

A certified true copy of Bylaw No. 11/18
adopted by resolution by the Council of the
Town of Wilkie on the 13th day of November 2018.

Administrator


SCHEDULE "A" TO BYLAW NO. 11/18



**NO SMOKING
NO VAPING**

Bylaw No. 11/18

The sign features a circular prohibition symbol (a circle with a diagonal slash) over a graphic of a lit cigarette with smoke rising from it. A small 'gettyimages' watermark is visible on the cigarette graphic.



**NO SMOKING
NO VAPING**

WITHIN 3 METRES OF ENTRANCE

Bylaw No. 11/18

This sign is identical to the one above, but includes the text 'WITHIN 3 METRES OF ENTRANCE' below the main prohibition text.