

The Township of Cavan Monaghan

By-law No. 2012-100

Being a by-law respecting smoking in certain public places in the Township of Cavan Monaghan

Whereas Section 115 of the Municipal Act, 2001 S.O. 2001, Chapter 25 as amended, enables a municipality to prohibit or regulate the smoking of tobacco in public places and workplaces;

And Whereas it has been determined that second hand tobacco smoke is a health hazard because of its impairment, adverse effect and risk to health, and is a public nuisance because of its irritating and discomforting properties, to the inhabitants of the Township of Cavan Monaghan;

And Whereas it is desirable for the health, safety and well-being of the inhabitants of the Township of Cavan Monaghan to provide for regulating smoking and second hand smoke for the better protection of persons from conditions injurious to health in accordance with the provisions of this By-law;

Now Therefore the Council of the Township of Cavan Monaghan enacts as follows:

1. Definitions

- a. **Tobacco Product** – means tobacco in any processed or unprocessed form that may be smoked, inhaled or chewed, including snuff, but does not apply to products intended for use in nicotine replacement therapy.
- b. **Township** – means The Township of Cavan Monaghan.
- c. **Smoke or Smoking** – includes the carrying of a lit cigar, cigarette, pipe or any other lit smoking equipment.

2. General Prohibitions

- a. No person shall smoke or hold lighted tobacco product anywhere within the following locations:
 - ♦ Maple Leaf Park
 - ♦ Old Millbrook School
 - ♦ Cedar Valley Park
 - ♦ Edgewood Park
 - ♦ Peace Park
- b. No person shall smoke or hold lighted tobacco product within a nine (9) metre radius surrounding any entrance, exit or air intake at any building owned and operated by the Township of Cavan Monaghan including but not limited to the following locations:
 - ♦ Township Municipal Office
 - ♦ Bruce Johnston Library
 - ♦ All Public Works Buildings, including the Transfer Station
 - ♦ Cavan Monaghan Community Centre
 - ♦ All Fire Halls
 - ♦ Old Millbrook School
 - ♦ Lion's Den

3. Exceptions

This By-law does not apply to any portion of a public road allowance or to any private property.


4. Signs

- a. That “No Smoking as per By-law 2012-100” signs be posted at all parks owned by the municipality.
- b. That “No Smoking – Our Children Play Here” signs, requesting that people respectfully not smoke, be placed at all open spectator areas at sports fields and public beaches.
- c. That “No Smoking within a Radius of 9 metres per By-law 2012-100” signs be posted at all entrances and exits to buildings owned and operated by the municipality as described in Section 2. b


5. Effective Date

This By-law comes into effect on the date of passage.

Read a first, second and third time and passed this 3rd day of December 2012.



John Fallis
Mayor



Elana Arthurs
Clerk