

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW NO. 1316 (1990)

Being a by-law to regulate smoking in
buildings under the jurisdiction of the
Corporation of the Town of Pelham.

WHEREAS it has been determined that second-hand
smoke (exhaled smoke from lighted cigarettes, cigars and
pipes) is a health hazard or discomfort for many persons;

AND WHEREAS it is desirable for the health, safety
and welfare of the municipal staff and any other persons who
attend at municipal facilities, to regulate smoking at these
facilities;

AND WHEREAS Section 104 of the Municipal Act,
R.S.O. 1980 as amended provides that Council may pass such
by-laws and make such regulations for the health, safety,
morality and welfare of the inhabitants of the municipality;

AND WHEREAS the Smoking in the Workplace Act,
S.O. 1989 prohibits smoking in an enclosed workplace except
in those areas designated as smoking areas;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) In this By-law:

(a) "Town" means the Corporation of the Town
of Pelham.

(b) "Town Hall" shall mean that building
municipally known as "20 Pelham Town Square".

(c) "Recreational Facility" shall mean any
building, herefore or hereafter under the control and
management of the Town of Pelham and shall include arenas,
community centres, meeting halls, outdoor swimming pools or
wading pools, washrooms, changerooms, storage facilities and
all other buildings of public congregation.

con't.....

(d) "Works Building" shall mean that building municipally known as "675 Tice Road".

(e) "Smoke" or "Smoking" includes the lighting up or carrying of a lighted cigarette, cigar, pipe or any other lighted smoking device.

(f) "Second Hand Smoke" means:

(i) exhaled smoke

(ii) smoke from an idling (a) cigarette, or (b) cigar, or (c) pipe, or (d) any other tobacco using or constructed device;

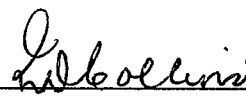
but does not include smoke that has drifted into a place or area in which smoking is prohibited from a place in which smoking is not prohibited.

(2) Smoking shall be prohibited in the Town Hall, 20 Pelham Town Square save and except for that area of an enclosed workplace which is designated as a smoking area as set out on Schedule "A" attached hereto and made part of this by-law.

(3) Each Municipal Department Head shall ensure that a sufficient number of signs worded "No Smoking" or "Designated Smoking Area" are in place in the appropriate areas of the facilities for which they are responsible.

(4) Every person who contravenes any of the provisions of this by-law shall be liable to conviction under the Provincial Offences Act and subject to a fine exclusive of costs of not less than Fifty Dollars (\$50.00) and not more than One Thousand Dollars (\$1,000.00).

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
5th. DAY OF FEBRUARY, 1990 A.D.



MAYOR

CLERK