

Original signed by: Byron Johnson, CAO

Council Report

Report Date: June 19, 2019**Meeting Date:** June 25, 2019**To:** City Manager**From:** Director of Development Services**Subject:** Smoking Regulation Bylaw No. 1767 (2015)

Purpose

To amend the Smoking Regulation Bylaw prohibit smoking on busy residential streets in the downtown.

Summary

- The Smoking Regulation Bylaw prohibits smoking on select sites in the community with a focus on areas where children frequent and persons gather.
- This report recommends adding the busy pedestrian and commercial streets within the downtown core.
- The intent of this regulation is to provide Bylaw Enforcement the tools to enforce policies around smoking in close proximity to building entrances; discourage smoking litter on sidewalks in a high tourism areas, and discourage smoking in busy pedestrian areas to eliminate exposure to smoke for persons whom do not choose to be exposed.
- The bylaw recognizes that individuals have the right to smoke and encourage those individuals to do so in areas where impacts on the non-smoking public will be minimized.
- The following definition of street is added to the bylaw
 - **"Street"** means any highway, roadway, sidewalk, boulevard, place or right of way which the public is ordinarily entitled or may be permitted to use for the passage of vehicles or pedestrians and includes a breezeway or a structure (ie. vacant store front) located or connected to any of those areas.
- The bylaw also amends the MTI bylaw to reflect these changes.

Recommendation

THAT Council provide first, second and third readings to Smoking Regulation Amendment Bylaw No. 1871 to prohibit smoking on the streets of the 100 to 400 blocks of St. Laurent and Barlow Avenues as well as the 200 to 400 blocks of Reid Street.

Statutory Requirements

Section 8(3) Community Charter

Council Policy

Smoking Regulations Bylaw No. 1767 (2015)

Municipal Ticket Information Bylaw No. 1774 (2015)

**Strategic Objective**

N/A

Financial Implications

Bylaw resources for enforcement.

Background

The adopted a smoking regulation bylaw in 2015 that prohibits the smoking of tobacco in the city in the following areas:

- (a) LeBourdais Park;
- (b) West Fraser Timber Park;
- (c) Spirit Square;
- (d) Quesnel Youth Soccer playing fields;
- (e) Playgrounds and playing fields;
- (f) Fraser River Foot Bridge, including the entrances.

In 2018 the bylaw was amended to add vaping as a form of smoking and prohibited smoking of Cannabis in all public areas of the community to address the legalization of cannabis.

Smoking legislation does prohibit smoking near building entrances however there is limited enforcement ability by public health.

Attachments

1. Draft Smoking Regulation Bylaw Amendment No. 1871.

Options

1. Approve the bylaw.
2. Recommend amendments to the policy.
3. Deny the proposed bylaw.