

THE CORPORATION OF THE
TOWN OF ARNPRIOR

BY-LAW NO. 5739-09

BEING A BY-LAW TO REGULATE SMOKING ON PUBLIC BEACHES AND
PLAYGROUNDS IN THE TOWN OF ARNPRIOR.

WHEREAS Section 115 of the Municipal Act, S.O. 2001, C. 25, as amended, authorizes the council of a local municipality to pass a by-law to prohibit or regulate the smoking of tobacco in public places and workplaces; and

WHEREAS Council has adopted resolution No. 200-09, resolving that smoking be banned on public beaches and playgrounds within the limits of the Town of Arnprior; and

WHEREAS it is desirable for the purpose of promoting and protecting the health, safety and welfare of the inhabitants of the Corporation of the Town of Arnprior to ensure that public beaches and playgrounds within the Town of Arnprior are free from second hand smoke;

NOW THEREFORE the Council of the Corporation of the Town of Arnprior enacts as follows:

1. **Definitions** for the purpose of this By-law, the definitions and interpretations given in this section shall govern:

“**Council**” means the Council of the Town of Arnprior;

“**Enforcement Officer**” means any person appointed by Council as a Provincial Offences Officer, or any police officer of the Ontario Provincial Police.

“**Public Beaches**” means any public beach within the limits of the Town of Arnprior.

“**Public Playgrounds**” means any public playground within the limits of the Town of Arnprior.

“**Smoke or Smoking**” means the smoking of tobacco and includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“**Town**” means the Corporation of the Town of Arnprior.

2. **General Prohibitions**

No person shall Smoke on any public land which is identified as a public playground or public beach within the limits of the Town of Arnprior.

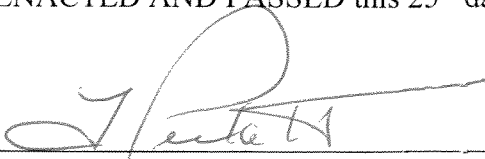
3. **Signs**

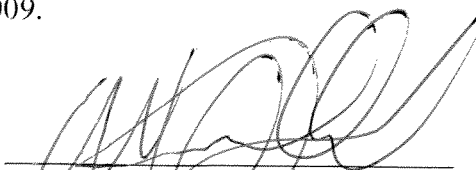
The proprietor or other persons in charge of a public beach or public playground shall ensure that a sufficient number of signs are conspicuously posted to as to clearly identify that smoking is prohibited.

4. **Offences**

Any person who contravenes any of the provisions of this by-law is guilty of an offence and every person who is convicted of an offence under this By-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, as amended.

ENACTED AND PASSED this 25th day of May, 2009.


Deputy-Mayor Tom Peckett

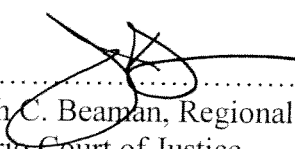

Monique Ouellet, Clerk

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 5739-09 of the **Town of Arnprior**, attached hereto is the set fine for that offence. This Order is to take effect on June 30, 2009.

Dated at Ottawa this 30th day of June 2009.


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Judith C. Beaman, Regional Senior Justice
Ontario Court of Justice
East Region

TOWN OF ARNPRIOR
PART I Provincial Offences Act
By-law #5739-09: Smoking By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Smoking on any public land identified as a public playground	Section 2	\$195.00
2	Smoking on any public land identified as a public beach	Section 2	\$195.00

"NOTE: The penalty provision for the offences indicated above is section 4 of By-law no. 5739-09, a certified copy of which has been filed".