

THE CORPORATION OF THE TOWN OF RAINY RIVER

BY-LAW 1543-11

Being a by-law to prohibit smoking in buildings and vehicles under the jurisdiction of the Town of Rainy River, the *Municipal Act*, 2001, S.O. 2001, c. 25, section 115, (the Act), *Smoking in the Workplace Act*, R.S.O. 1190, c.S. 13, section 11.)

NOW THEREFORE the Council for the Corporation of the Town of Rainy River HEREBY ENACTS as follows:

1. THAT Town of Rainy River By-Law 1411-02 is hereby repealed.

2. DEFINITIONS

In this by-law:

2.1 “person” shall include a natural person, a body corporate, an association, organization, group, team, or business.

2.2 “public entrance” shall include, in addition to the entrance opening itself including the threshold and doorframe, any area covered by a canopy through which persons must pass when entering the building.

2.3 “smoke and smoking of tobacco products or similar substances” shall include the holding of lighted tobacco products or similar substances.

3. SMOKING PROHIBITED

3.1 No person shall smoke or permit the smoking of tobacco products or similar substances while in municipal buildings or vehicles owned or leased by the Corporation of the Town of Rainy River.

3.2 The provisions of subsection 2.1 are extended to apply at the Rainy River Community and Recreation Centre in addition to the building, to all that area with a radius of 9 metres measured from a point at the outside edge of the main public entrance and all that area within a radius of 9 metres measured from any point of the outside edge of all other public entrances.

4. OFFENCE

4.1 Every person who contravenes the provisions of this by-law is guilty of an offence and on conviction may be subject to a fine of not more than three hundred dollars (\$300.00) exclusive of costs.

5. BY-LAW NOT TO APPLY

5.1 The provisions of this by-law do not apply to a highway as “highway” is defined in section 26 of the *Municipal Act*, 2001.

6. ENFORCEMENT

6.1 The provisions of this by-law are enforceable under the *Provincial Offences Act* as amended from time to time. Enforcement of this by-law shall be done by the Town of Rainy River By-law Enforcement Officers, the Ontario Provincial Police, and other Provincial Offences Officers with authority under the *Provincial Offences Act* including the *Smoke Free Ontario Act*.

This by-law shall come into force and take effect on February 22, 2011.

READ the first time in open Council this 22nd day of February 2011.

Mayor

Chief Administrative Officer

READ the second time in open Council this 22nd day of February 2011.

Mayor

Chief Administrative Officer

READ the third time and finally passed in open Council this 22nd day of February 2011.

Mayor

Chief Administrative Officer