

Memo



To: Committee of the Whole
From: **Corporate Services**
Date: September 21, 2018
Subject: Additional Information Regarding Smoke- And Vape-Free Places Bylaw

Background

Staff presented a first draft of the *Smoke- and Vape-Free Places Bylaw* at the Committee of the Whole meeting on September 4th. The intent, per the Committee of the Whole meeting on February 13, 2018, was to fill in gaps in provincial and federal legislation.

Following the introduction of the draft bylaw, Council resolved to table the bylaw and to have staff return the bylaw for discussion at the October Committee of the Whole meeting. This would give Councillors attending UBCM in September an opportunity to engage with other municipalities considering or implementing similar bylaws.

The Federal Government's Bill 45 (the "Cannabis Act") comes into effect on October 17, 2018, legalizing recreational use of cannabis nationwide.

The BC Provincial Government enacted section 2.3 of the *Tobacco Control Act* in March of 2008, prohibiting smoking within public and work places, covering indoor areas and outdoor work areas.

In May of this year, the province enacted the *Cannabis Control and Licensing Act*. This Act prohibits smoking and vaping of cannabis in all areas that tobacco smoking and vaping are prohibited. Per B.C. Reg. 232/2007 (*Tobacco and Vapour Products Control Regulation*), this includes inside and within 6m of openings (doors, windows, ventilation) of work places. In addition, the Act specifically prohibits cannabis use at playgrounds, sports fields, skate parks, and other *public places* where children may gather. Use in vehicles and on school properties are also identified and prohibited by provincial Act.

The proposed bylaw, as presented at the September 4 Committee of the Whole meeting, addressed many of the areas already prohibited by provincial Act. By enacting a bylaw that roughly parallels the provincial Act, Council would enable enforcement by local bylaw officers.

Pursuant to the resolution of September 4, the matter is brought back to Council for further discussion and guidance to staff.

Attachments

Proposed Bylaw No. 2054 "Smoke- And Vape-Free Places Bylaw"