

**MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON
BYLAW 2018-08**

BEING A BYLAW OF THE VILLAGE OF FORT SIMPSON, A MUNICIPAL CORPORATION IN THE NORTHWEST TERRITORIES, TO ESTABLISH A SMOKING AND CANNABIS USE IN PUBLIC PLACES BYLAW, PASSED PURSUANT TO SECTIONS 70, 71, 72, 73, AND 75 OF THE CITIES, TOWNS AND VILLAGE ACT S.N.W.T. 2003 C.22.

WHEREAS, the Council of the Municipal Corporation of the Village of Fort Simpson, in the Northwest Territories deems it to be in the public interest to regulate and prohibit smoking and cannabis use in public places;

AND WHEREAS a council may make by-laws pursuant to section 148 of the Cities, Towns, and Villages Act respecting public health and contagious diseases, and specifically prohibiting smoking and use of cannabis in public places;

NOW THEREFORE, the Council of the Village of Fort Simpson at a duly assembled meeting, enacts as follows;

1. THAT the short title of the Bylaw may be cited as the "Smoking and Cannabis Use Bylaw"
2. THAT this Bylaw shall come into force and effect on the date of its final passing.
3. THAT Bylaw 442 and Bylaw 511 are hereby repealed.

INTERPRETATION

In this bylaw, unless the context otherwise requires;

- a) Grounds of a Village Building – means the outdoor part of any lot containing a building owned or leased by the Village;
- b) Park and Playground – means any park or recreational area designed in part to be used by youth that has play or sports equipment or is a greenspace designated for recreational use by children, youth or families.
- c) Village property – means real property owned or leased by the Village, directly or through the medium of a board or commission and any motor vehicle owned or lease by the Village, directly or through the medium of a board of commission.
- d) Smoking – means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hookah pipe, vaporizer or other lighted smoking implement designated to burn or heat tobacco, cannabis or any other weed or substance for the purpose of inhaling or tasting of its emissions.

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SMOKING ON MUNICIPAL PROPERTY

Territorial legislation sets base restriction on where one can smoke or use cannabis, including distances from public buildings. The Cannabis Smoking Act and Regulations prohibit the smoking of cannabis wherever the smoking of tobacco is prohibited. In addition, smoking cannabis will be prohibited in, and within thirty (30) meter of:

- Children's playground
- Fields, courts, or rinks used for sports or other athletic activities;
- Skateboard or bicycle parks; and
- Public parks located within a community, for the duration fo an event that is open to the public that is taking place in the public park.

Municipalities can expand on this legislation to increase those restrictions. This bylaw places additional prohibitions on the use of tobacco, cannabis and related products as outlined in Sec. 2(d) and Sec. 3(b).

- a. No person shall smoke on or within Village property, including the grounds of a Village building, vehicle, parks, playground, greenspace, and sports and recreation fields. See Appendix A.
- b. Products prohibited are cigarettes, cigars, pipes, electronic smoking devices, cannabis, other weeds and substances, waterpipes.
- c. Exemption shall be made for use of tobacco during cultural or ceremonial events.
- d. Exemptions may be made for staff smoking areas to be designated on Village owned and leased properties. These areas must in no way interfere with other staff or public occupation of the property. As such, a staff smoking area may not be designated if it does not meet these criteria. Smoking areas are designated for tobacco smoking only.

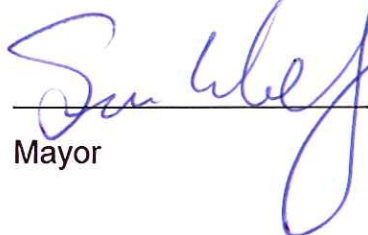
ENFORCEMENT

- a. Any person in contravention of any of the provisions or requirements of this Bylaw is guilty of an offence, and liable on summary conviction to a fine of Two Hundred Fifty (\$250) Dollars for the first offence. Subsequent offences will result in a fine of Five Hundred (\$500.00) Dollars.
- b. Enforcement will be enacted by the Village of Fort Simpson Bylaw Enforcement Officer.
- c. Enforcement of Territorial legislation regarding cannabis use will be enforced by the RCMP.

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Read a first time this 19th day of November, 2018.

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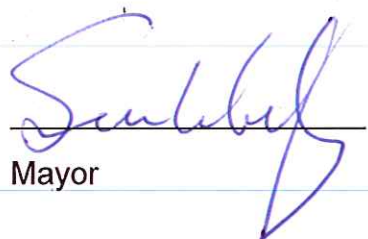


Mayor




Senior Administrative Officer

Read a third time and finally passed this 3rd day of December, 2018



Mayor



Senior Administrative Officer

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APPENDIX A – Prohibited Public Access Locations:

1. Recreation and Community Center including grounds
2. John Tsetso Memorial Library and grounds
3. Village Office and grounds
4. Visitor Information Center and grounds
5. Public Works Building and grounds
6. Water Treatment Plant and grounds
7. Waste Water Treatment Plant and grounds
8. Water Pumphouse and grounds
9. Village of Fort Simpson Pool and grounds
10. Village of Fort Simpson Fire Hall and grounds
11. Elephant Park