

CITY OF GRANDE PRAIRIE

BYLAW C-1278B

A Bylaw to amend Bylaw C-1278 Being the Smoke Free Playgrounds, Athletic Fields and Recreational Facilities

THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. Bylaw C-1278 is hereby amended as follows:
 - a) Change the Name of this Bylaw from “Smoke Free Playgrounds, Athletics Fields and Recreation Facilities” to “Smoke Free Public Places”.
 - b) In Section 1 delete the words “Smoke Free Playgrounds, Athletics Fields and Recreation Facilities Bylaw” and replace with “Smoke Free Public Places Bylaw”.
 - c) Delete Section 2 in its entirety and replace with the following:
 - “(a) **Athletic Field** means any field and/or land of natural and/or man-made composition that is used for athletic purposes to conduct organized or unorganized sporting activities which includes but is not limited to a baseball field, soccer pitch, player or spectator bench and lawn bowling field. A golf course shall not be included as an athletic field.
 - (b) **Cannabis** means any product composed in whole or part of cannabis as defined by the Cannabis Act (Canada).
 - (c) **City** means the City of Grande Prairie.
 - (d) **Consume** where used as a verb in respect of cannabis, includes smoke, vape, apply, inhale or ingest.
 - (e) **Council** means the Municipal Council of the City of Grande Prairie.
 - (f) **Electronic Cigarette** means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine, or any component of such a device.
 - (g) **Minor** means a person who is under 18 years of age.
 - (h) **Peace Officer** means a Bylaw Enforcement Officer appointed by the City of Grande Prairie, a Peace Officer, or a member of the Royal Canadian Mounted Police.

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- (i) **Playground Equipment** means any kind of structure or apparatus which is customarily found in a park-like setting and which a person may engage in play-like activities such as climbing, swinging, hanging, crawling, jumping, stepping, whether over, across, under, through or upon for enjoyment, exercise and/or as part of relating to others of any age. Without restricting the generality thereof, playground equipment includes swings, slides, climbing apparatus, and municipally-owned swimming pools, outdoor water parks, and outdoor ice skating surfaces. Playground equipment does not include facilities for walking and biking trails, park fences, trees, a picnic table, bridge, or gazebo.
- (j) **Recreation Facility** means the Coca-Cola Centre, Dave Barr Community Centre, Eastlink Centre, the Leisure Centre, Charles Spencer High School, the Saint Joseph Catholic High School and the Grande Prairie Gymnastics.”
- (k) **Residence** means a place used by a person as a permanent private dwelling or a temporary residence, including any structure or land adjacent to the private dwelling or temporary residence that is used for the convenience or enjoyment of the occupants of the dwelling.
- (l) **Smoke** means to smoke, hold or otherwise have control over a lit Tobacco Product or use an Electronic Cigarette.
- (m) **Temporary Residence** means:
- (i) a place that is used by a traveller in respect of which the traveller pays a fee;
 - (ii) a tent that is set up in an area where overnight camping is legally permitted; and
 - (iii) a motor home or other vehicle that is parked in an area that is not a highway or road and where overnight camping is legally permitted.
- (n) **Tobacco Product** means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any product for use in nicotine replacement therapy.
- (o) **Use** with respect to Electronic Cigarettes, means to inhale or exhale vapour from an Electronic Cigarette or hold an activated Electronic Cigarette.
- (p) **Violation Ticket** has the same meaning as the *Provincial Offences Procedure Act*, RSA 2000, Chapter P-34, as amended or repealed and replaced from time to time.”
- d) Add Section 3.1 as follows:
- “3.1 (a) No person shall consume cannabis:
- (i) in any area or place where that person is prohibited from smoking under the *Tobacco and Smoking Reduction Act* or any other Act or Bylaws of the City;
 - (ii) on all streets and avenues including and bounded by 101 Avenue or 100 Avenue between 102 Street and 98 Street;

- (iii) within a 30 meter radius of:
 - a. a recreation facility;
 - b. a public park;
 - c. a parade;
 - d. an outdoor special event, unless in a defined area specifically identified by the event organizer as a designated cannabis consumption area;
 - e. where children are playing or congregating; or
 - f. the front entrance to a commercial movie theatre;
- (iv) where smoking is prohibited by a public sign; and
- (v) in a manner and/or proximity, that is adversely affecting another person.

(b) Nothing in this Bylaw shall prohibit a person from consuming cannabis at a residence.”

2. This Bylaw shall take effect on the date it is passed.

READ a first time this 22 day of May, 2018.



Mayor


Corporate Services Director

READ a second time this 18 day of June, 2018

READ a third time and finally passed this 18 day of June, 2018.



Mayor


Corporate Services Director