

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2012-06

Being a By-Law to prohibit smoking within twenty-five meters surrounding playgrounds and playing fields owned by the Municipality of Tweed.

WHEREAS Section 115 of the Municipal Act, 2001 authorizes the Council of a municipality to pass by-laws to prohibit or regulate the smoking of tobacco in public places and workplaces with the municipality.

AND WHEREAS it has been determined that second-hand tobacco smoke, being exhaled smoke and the smoke from idling cigarettes, cigars and pipes, is a health hazard because of its impairment, adverse effect and risk to the health of the residents and visitors of the Municipality of Tweed;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

1. This by-law shall be entitled the 'Smoking Prohibited within 25 metres of municipal playgrounds and playing fields' by-law.
2. The following definitions shall apply.
 - i. Municipal playgrounds means any park open to the public and owned by the Municipality which contains playground equipment and shall include the following:

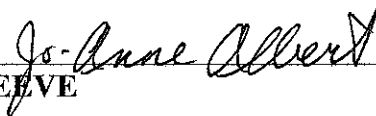
Memorial Park Stoco playground Marlbank playground
 - ii. Playground equipment means any kind of structure or apparatus which is customarily found in a park like setting and which a person may engage in play-like activities such as climbing, swinging, hanging, crawling, jumping, stepping for enjoyment and/or exercise. Without restricting the generality thereof, playground equipment includes swings, slides, climbing apparatus and other outdoor equipment located within a park or parkette.
 - iii. Playground equipment zone means an area that is located within a playground park which has its limits a boundary that is twenty-five (25) meters from any playground equipment.
 - iv. Playing field means any area, field or court owned by the Municipality where sports events take place which are used for baseball, soccer, football, basketball, volleyball or related sporting activities and shall include the following:

Fairgrounds ball diamond Stoco ball diamond
Marlbank ball diamond Memorial Park ball diamond
Fairgrounds/Recreation lands including swimming pool, basketball court,
volleyball court, bike park
3. The following regulations shall apply.
 - i. No person shall smoke within 25 meters of municipal playgrounds or playing fields owned by the Corporation of the Municipality of Tweed.
 - ii. The distance shall be measured from the designated entrance to the playground or playing field.

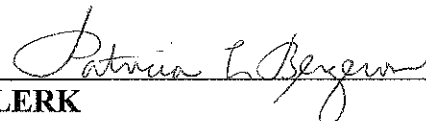
- iv. Where the playground or playing field does not have a designated entrance the distance shall be measured from the fence, edge or border of the playground or playing field.
4. Enforcement.
- i. The enforcement of this by-law is intended to be self-regulating and on the honour system for compliance with the community at large, participants and individuals providing friendly reminders.
 - ii. The provision of the by-law respecting non-smoking shall be enforced by the inspectors for the Hastings and Prince Edward Counties Health Unit for re-occurring or re-offending infractions.
- 5 This By-Law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 24th day of January, 2012.

Read a third and final time, passed, signed and sealed in open Council this 24th day of January, 2012.



REEVE



CLERK