



CHAPTER 79

Non Smoking at/on Town Recreation Facilities Bylaw

(A bylaw prohibiting smoking at or on outdoor town-owned recreational facilities)

1. Authority

Sections 172 (a), (b), and (d) of the Municipal Government Act provides municipalities with the power to make bylaws respecting the health, well-being, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odours and fumes.

2. Interpretation

In this bylaw

“*Smoke*” means the act of smoking tobacco, including smoking a cigarette, cigar or pipe, as evidenced by the giving-off of tobacco smoke. In absence of evidence to the contrary, where smoke is given-off from a cigarette, cigar, or pipe, it shall be presumed that the substance being smoked is tobacco.

“*Town*” means the Town of Kentville.

“*Town-owned Outdoor Recreational Facilities*” means walking trails, fields, playgrounds, parks, ice-rinks and all manner of similar properties or facilities owned by the Town of Kentville.

3. General Prohibition

No person shall smoke on any town-owned outdoor recreational facility.

4. Offences and Penalties

Any person who contravenes or fails to comply with Section 3 of this bylaw shall be liable to a penalty not less than \$50 and not exceeding \$200 for a first offence and a fine of not less than \$100 and not more than \$300 for a second or subsequent offence.

5. Effective Date

This bylaw shall be effective upon publication.

Clerk's Annotation (Office Use Only)

Effective Date –
First Reading of Bylaw – March 11, 2009
Date of advertisement of Notice of Intent to Consider -
Second Reading of Bylaw
Notice of Passing – Publication date: -
Notice to Minister –

**I hereby certify that
the Non-Smoking in Outdoor Town –Owned
Recreation Facilities Bylaw,
Chapter 79,
has been adopted by Council
and published as indicated above.**

**Carol A. Harmes
Town Clerk**