

TOWN OF OLDS

BYLAW 1489-95

A BYLAW OF THE TOWN OF OLDS IN THE PROVINCE OF ALBERTA WITH RESPECT TO SMOKING IN THE OLDS SPORTS COMPLEX.

WHEREAS, Section 112 of the Municipal Government Act, Chapter M-26.1 1994 and amendments thereto provide for the passing of a bylaw by a municipal council for promoting the health, safety and welfare of the municipality; and

WHEREAS, it is desirable in the interest of promoting health, safety and welfare of the inhabitants of the Olds Community to prohibit or regulate smoking in the Olds Sports Complex.

NOW, therefore, the Council of the Town of Olds, in the Province of Alberta, duly assembled, enacts as follows:

1. DEFINITIONS

In this Bylaw:

- a) TOWN means the Town of Olds.
- b) PEACE OFFICER means a Bylaw Enforcement Officer or a Special Constable of the Town, or a member of the Royal Canadian Mounted Police.
- c) POST means the erection or placing of a sign and includes the act of keeping it continuously displayed.
- d) SMOKE or SMOKING includes inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment, burning tobacco or any other substance.
- e) FACILITY means the Olds Sports Complex but does not include the Olds Curling Rink.
- f) ARENA STAFF means the people employed by the Town of Olds to operate the facility.
- g) DESIGNATED SECURITY PERSONNEL means these people, either employed or volunteers, designated by the user group to assist with security in the arena.
- h) MEMBER OF THE PUBLIC means any one in the facility who is not an employee of the Town.

2. PROVISIONS

- a) the Olds Town Council PROHIBITS SMOKING IN ALL AREAS of the facility.
- b) an exception may be made to NON SMOKING in the Olds Sports Complex according to Community Services Policy #X-8 (a) and amendments thereto.

3. SIGNAGE

The following Graphic Symbol Sign may be used to designate the facility as "No Smoking."

SYMBOL XOLDS BYLAW #1489-95.

The Graphic Symbol shall be on a white background with the circle and interdictory stroke in red and the cigarette in black.

In place of the Graphic Symbol the Town may use a printed sign carrying the text "No Smoking" in capital and lower-case letters, or a combination thereof.

4. ENFORCEMENT

In the event of an individual smoking in the facility when prohibited the following enforcement measures will apply:

- a) the arena staff or a member of the public may ask the individual to put out their cigarette or to leave the facility.
- b) if the individual violating this bylaw does not comply with the above request, a Peace Officer may be called in to deal with this issue.

5. PENALTIES

Any person who contravenes any provision of this Bylaw is guilty of an offense and upon summary conviction is liable to a fine of not less than \$50.00 (Fifty Dollars) nor in excess of \$500.00 (Five Hundred Dollars) and cost plus damages, and in default thereof to imprisonment for a period not exceeding (6) six months unless the fine and costs, including the costs of committal, are sooner paid.

THIS BYLAW SHALL TAKE EFFECT UPON FINAL PASSING THEREOF.

READ a First time the 27th day of NOVEMBER 1995 on a motion made by Councillor BOJDA

MOTION CARRIED UNANIMOUSLY

Moved by Councillor ROWLAND that we AMEND the motion by:

- I. deleting DEFINITIONS 1 (f) and (g)
- II. rewording Section 2 (b) to read: an exception may be made to Non Smoking in the Olds Sports Complex according to Community Services Policy # X-8 (a) and amendments thereto
- III. rewording Section 4 ENFORCEMENT to read: in the event of an individual smoking in the facility when prohibited the following enforcement measures will apply:

AMENDMENT CARRIED UNANIMOUSLY

READ a Second time the 27th day of NOVEMBER 1995 on a motion made by Councillor BOJDA.

MOTION CARRIED UNANIMOUSLY AS AMENDED

READ a Third and Final time the 18th day of DECEMBER 1995 on a motion made by Councillor BOJDA.

MOTION CARRIED UNANIMOUSLY

MAYOR ALAN TAYLOR

GARRY GELECH, C.A.O.