



CHAPTER 84

Smoke-Free Public Places Bylaw

(A bylaw prohibiting smoking in public places in the Town of Kentville)

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

"Public Places" means streets and roads (including sidewalks), parks and entrances thereto, and not so as to restrict the generality hereof, all lands, structures and facilities owned by or leased to the Town.

"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.

3. General Prohibition

No person shall smoke in any public place in the Town of Kentville.

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 become effective upon publication of Notice of Passing.

6. Repeal

This bylaw hereby repeals *Chapter 79 Non-Smoking in Outdoor Recreation Facilities Bylaw*

Clerk's Annotation (Office Use Only)

Effective Date – Upon publication of Notice of Passing

First Reading of Bylaw – November 29, 2010

Date of advertisement of Notice of Second Reading – December 7, 2010, January 11, 18 and 20, 2011

Second Reading of Bylaw – January 24, 2011

Notice of Passing – Publication date: - February 1, 2011

Notice to Minister – February 1, 2011

**I hereby certify that
the Chapter 84 Smoke-Free Public Places Bylaw
has been adopted by Council
and published as indicated above.**

**Carol A. Harmes
Town Clerk**