

**TOWN OF DRUMHELLER
BYLAW 10.18**

BEING A BYLAW TO AMEND THE COMMUNITY STANDARDS BYLAW AND SCHEDULE A.

WHEREAS: Section 191 of the Municipal Government Act, being chapter M-26 of the Revised Statutes of Alberta 200, and amendments thereto, allows the Council of a municipality the power to pass a bylaw which includes a power to amend a bylaw; and

WHEREAS: Council deems it expedient and desirable for the health, safety, and welfare of inhabitants to regulate smoking and vaping of tobacco, cannabis and other substances in the Town of Drumheller.

NOW THEREFORE, the Council of the Town of Drumheller duly assembled hereby enacts as follows:

That Bylaw 16.10 shall be amended as follows:

1. The following new definitions shall be added to Part 2 Definitions:
 - (a) "Cannabis" as defined in the Cannabis Act;
 - (b) "Cannabis Act" means Bill C-45, an Act respecting Cannabis and to amend the controlled Drugs and Substances Act, the Criminal Code and Other Acts;
 - (c) "Cannabis Consumption" means to "smoke" or "vape" cannabis;
 - (d) "Electronic Smoking Device" means an electronic device used to deliver nicotine, cannabis, tobacco, or other substances to the person inhaling from the device, but not limited to an electronic cigarette, vaporizer, cigar, cigarillo or pipe;
 - (e) "Smoke or Smoking" means inhaling or exhaling the smoke produced by burning a substance; holding or otherwise having control of any device or thing containing a lit substance;
 - (f) "Tobacco" 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;
 - (g) "Tobacco Consumption" means to "smoke" or "vape" tobacco;

- (h) "Vape or Vaping" means: inhaling or exhaling the vapour, emissions or aerosol produced from an electronic smoking device; holding or otherwise having control of an electronic device that is producing vapour, emissions or aerosol.

2. That the following new sections are added:

20. TOBACCO CONSUMPTION

20.1 A person shall not smoke or vape tobacco:

- (a) in all or any part of a building, structure or other enclosed area to which members of the public have access as of right or by express or implied invitation;
- (b) within five (5) meters of an entrance or exit to a building of which members of the public have access as of right or by express or implied invitation.

21. CANNABIS CONSUMPTION

21.1 No person shall smoke or vape cannabis in a public place.

21.2 A person who is entitled to use Cannabis pursuant to the Access to Cannabis for Medical Purposes Regulations SOR/2016-230 is not subject to Section 21.1 of this bylaw, but must adhere to the Provincial Regulations that govern public consumption.

21.3 A person referred to in Section 21.2, must, on demand of a Peace Officer, produce a copy of the persons medical documentation.

3. That the following section be renumbered: 20. Commencements, Repeals to be renumbered 22.

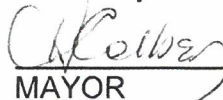
Bylaw 11-96 "No Smoking Bylaw" is hereby repealed.

This Bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME ON THE 9th day of July, 2018.

READ A SECOND TIME ON THE 20th day of August, 2018.

READ A THIRD AND FINAL TIME ON THE 20th day of August, 2018


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Schedule A

COMMUNITY STANDARDS BYLAW FINES

The following fines to be added to Schedule A

Tobacco Consumption	20.1	
a) first offence		\$ 50.00
b) second and subsequent offences		\$ 100.00
Cannabis Consumption	21.1	
a) first offence		\$ 50.00
b) second and subsequent offences		\$ 100.00