

**TOWN OF AMHERST**

**SMOKE-FREE RECREATIONAL PLACES BY-LAW**

**TITLE**

1. This By-law shall be known and may be cited as the “Smoke Free Recreational Places By-Law” of the Town of Amherst.

**BACKGROUND**

2. The *Municipal Government Act*, in Section 172(1) (a), (c) and (d) authorizes a council to make by-laws for municipal purposes respecting the health, well-being, safety and protection of persons; persons and activities in public places and places open to the public; and nuisances, including burning, odours and fumes.

**INTERPRETATION**

3. In this By-law:
  - a) “playground” means any park or recreational area designed in part to be used by youth that has play or sports equipment installed or has been designated or landscaped for play or sports activities, or any similar facility located within the Town.
  - b) “smoke” means to smoke, hold or otherwise have control over lighted tobacco.

**PROHIBITION**

4. No person shall smoke in any of the following places:
  - a) a park or playground on Town property or property maintained by the Town;
  - b) an outdoor recreational facility on Town property, or property maintained by the Town, including but not limited to a sports field, grandstand, seating area or bleacher.

Smoking at the Amherst Stadium shall be restricted to a designated area in the parking lot that may be anywhere on the property except at the front of the building.

**OFFENCE AND PENALTY**

5. Anyone who violates any section of this by-law is guilty of an offence and is liable, on summary conviction, to a fine of not more than two hundred dollars (\$200.00).

**SEVERABILITY**

6. In the event that any provision of this by-law becomes or is declared by a court of competent jurisdiction to be illegal or unenforceable, the remainder of this by-law will continue in full force and effect.

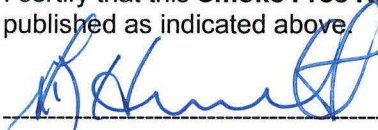
**FORCE AND EFFECT**

7. This by-law has effect from and after the date of publication.

**Clerk's Annotation for Official By-Law Book**

Date of First Reading:	April 30, 2012
Date of Notice of Intent to Consider:	May 14, 2012
Date of Second Reading:	May 28, 2012
*Date of Advertisement/Notice of Publication*	June 1, 2012
Date of mailing to Minister a certified copy:	June 1, 2012

I certify that this **Smoke Free Recreational Places By-Law, C-12** was adopted by Council and published as indicated above.

  
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Chief Administrative Officer

June 1, 2012  
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Date

\*Effective Date of the By-Law unless otherwise specified in the text of the By-Law.